THE NATIONAL ARCHIVES

FEDERAL REGISTER

OF THE UNITED STATES 1934

VOLUME 17 NUMBER 50

Washington, Wednesday, March 12, 1952

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter E—Account Servicing

[FHA Instruction 451.4]

PART 361—ROUTINE

SUBPART B—SERVICING FARM OWNERSHIP AND FARM HOUSING LOANS

PAID-IN-FULL DIRECT FARM OWNERSHIP AND FARM HOUSING ACCOUNTS

1. Section 361.31, Chapter III, Title 6 of the Code of Federal Regulations (16 F. R. 12537), originally published as § 361.63, Chapter III, Title 6, Code of Federal Regulations (15 F. R. 8621), is revoked.

NOTE: The material contained in said section is amended and consolidated with similar material concerning the Farm Ownership Program in § 361.25, Chapter III, Title 6 of the Code of Federal Regulations.

2. Section 361.25, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9438) is amended to make it applicable to Farm Housing accounts as well as to direct Farm Ownership accounts, and to delete the provisions concerning preparation of receipts. The section as amended reads as follows:

§ 361.25 *Paid-in-full direct Farm Ownership and Farm Housing accounts*—(a) *Authorization.* The State Director is authorized to accept final payment on a direct Farm Ownership or a Farm Housing account and to execute the necessary releases and satisfactions in connection with the indebtedness.

(b) *Farm Ownership accounts repaid in less than five years.* In the case of a direct Farm Ownership account to be repaid in less than five years from the date of the initial note, the County Supervisor will advise the State Office of the circumstances. In justifiable cases, the State Director is authorized to approve the acceptance of final payment before such five years have elapsed, except that the approval of the National Office is required if payment before such five years have elapsed is to be made from the sale of the farm outside the program and profit making is the only significant motive (see § 372.9 of this chapter). If the acceptance of final payment is approved, the State Director will so advise the County Supervisor.

(c) *Refunds after loan closing.* A refund of all direct Farm Ownership or Farm Housing funds advanced which is made after the loan has been closed will be considered a paid-in-full case only when accrued interest is also paid. Consequently, when the full amount of the principal of a loan is paid after the loan has been closed, the borrower also will be required to pay interest from the date of the loan check to the date final payment is received.

(d) *Satisfaction of mortages.* Ordinarily, the County Supervisor will deliver to the borrower the note(s), any abstracts of title, any property insurance policies, the original mortgage(s), and the original satisfaction(s), after final payment has been processed by the State Office. However, if the circumstances require a satisfaction of the mortgage at the time final payment is made, the satisfaction will be delivered to the borrower only upon receipt of full payment of the unpaid balance of principal and interest, computed as of the date final payment is received, and only when such payment is made by the borrower in the form of currency and coin, Treasury check, cashier's check, certified check, or money order. If State law requires that the satisfaction be recorded or filed by the mortgagee, the County Supervisor will record or file the satisfaction with the proper official.

(e) *Property insurance.* The County Supervisor will advise the borrower regarding the manner in which property insurance will be canceled, or release of mortgage interest executed.

(Sec. 41 (1), 60 Stat. 1066, sec. 510 (g), 63 Stat. 438; 7 U. S. C. 1015 (i), 42 U. S. C. 1480 (g). Interprets or applies secs. 3 (b) (6), 41 (h), 60 Stat. 1074, 1066, sec. 510 (d), 63 Stat. 437; 7 U. S. C. 1003 (b) (6), 1015 (h), 42 U. S. C. 1480 (d))

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

FEBRUARY 21, 1952.

Approved: March 6, 1952.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2823; Filed, Mar. 11, 1952; 8:47 a. m.]

CONTENTS

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

[Amdt. 3]

PART 517—FRUITS AND BERRIES, FRESH

SUBPART—FRESH APPLE EXPORT PAYMENT PROGRAM (FISCAL YEAR 1952)

ELIGIBILITY FOR PAYMENT

Section 517.253 *Eligibility for payment* is hereby amended by deleting paragraph (h) and inserting in lieu thereof the following:

(h) *Final dates.* The final date for mailing or delivering Form FV–461, "Application for Export Payment," shall be 12:00 o'clock midnight, e. s. t., March 31, 1952. The final date of export shall be 12:00 o'clock midnight, e. s. t., June 30, 1952. The final date for filing claims for payment (§ 517.254) shall be 12:00 o'clock midnight, e. s. t., July 31, 1952.

Effective date. This amendment shall become effective at 12:01 a. m., e. s. t., March 12, 1952.

(Sec. 32, 49 Stat. 774, as amended, sec. 112, 62 Stat. 146; 7 U. S. C. 612c, 22 U. S. C. Sup. 1510)

Dated this 7th day of March 1952.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 52–2895; Filed, Mar. 11, 1952; 8:53 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 4]

PART 415—FLAX CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The above-identified regulations, as amended (14 F. R. 4543; 15 F. R. 2482; 16 F. R. 4297, 7694), are hereby amended for the 1952 and succeeding crop years as follows:

1. Section 415.1, as amended, is amended by changing paragraph (a) to read as follows:

(a) Flax crop insurance may be provided in counties, not in excess of the number prescribed by the Federal Crop Insurance Act, as amended, designated annually by the Manager of the Corporation from a list of counties approved by the Board of Directors of the Corporation. A list of the designated counties shall be published annually by appendix to this section.

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interprets or applies secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U. S. C. 1507, 1508, 1509)

Adopted by the Board of Directors on March 4, 1952.

[SEAL] R. J. POSSON,
Secretary, Federal Crop Insurance Corporation.

Approved on March 6, 1952.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52–2825; Filed, Mar. 11, 1952; 8:48 a. m.]

[Amdt. 7]

PART 416—CORN CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The above-identified regulations, as amended (14 F. R. 5290, 6674; 15 F. R. 4161, 6739, 9032; 16 F. R. 7695, 9301), are hereby amended for the 1952 and succeeding crop years by changing § 416.19 to read as follows:

§ 416.19 *Salvage value of silage corn.* In counties designated by the Corporation the provisions of the monetary coverage policy shown in § 416.17 shall apply as amended by a rider which shall contain the following provision:

Notwithstanding any other provision of the policy, or any rider thereto previously issued, (1) only field corn planted for harvest as grain shall be insured and (2) in determining any loss under the contract, any production of corn from acreage planted for harvest as grain and used for silage shall be determined and valued on the basis of the higher of (a) the appraised number of bushels of corn in the silage times the price per bushel provided for in section 7 of the policy, or (b) the number of tons of silage times a price per ton determined by the Corporation and shown each year by March 15, on the county actuarial table on file in the county office.

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interprets or applies secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U. S. C. 1507, 1508, 1509)

Adopted by the Board of Directors on March 4, 1952.

[SEAL] R. J. POSSON,
Secretary, Federal Crop Insurance Corporation.

Approved on March 6, 1952.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52–2826; Filed, Mar. 11, 1952; 8:48 a. m.]

[Amdt. 4]

PART 417—TOBACCO CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The Tobacco Crop Insurance Regulations for the 1950 and Succeeding Crop

Years, as amended (14 F. R. 5298, 6675; 15 F. R. 2483; 16 F. R. 4297, 4609), are amended as follows:

1. Section 417.1, as amended, is amended by changing paragraph (a) to read as follows:

(a) Tobacco crop insurance may be provided in counties, not in excess of the number prescribed by the Federal Crop Insurance Act, as amended, designated annually by the Manager of the Corporation from a list of counties approved by the Board of Directors of the Corporation. In any county, insurance may be offered on the basis of the yield-quality plan or the investment plan of insurance and on more than one type of tobacco. The plan(s) of insurance and the type(s) of tobacco on which insurance may be offered shall be designated by the Corporation for each county and shown on the county actuarial table. A list of the counties designated for insurance showing the plan(s) of insurance and the type(s) of tobacco insured shall be published annually by appendix to this section.

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interprets or applies secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U. S. C. 1507, 1508, 1509)

Adopted by the Board of Directors on March 4, 1952.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved on March 6, 1952.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2824; Filed, Mar. 11, 1952; 8:47 a. m.]

[Amdt. 2]

PART 419—COTTON CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1952 AND SUCCEEDING CROP YEARS

The Cotton Crop Insurance Regulations for the 1952 and Succeeding Crop Years, as amended (16 F. R. 7975, 11565) are amended as follows:

1. Section 419.1 is amended by changing paragraph (a) to read as follows:

(a) Cotton crop insurance may be provided in counties, not in excess of the number prescribed by the Federal Crop Insurance Act, as amended, designated annually by the Manager of the Corporation from a list of counties approved by the Board of Directors of the Corporation. A list of the counties designated shall be published annually by appendix to this section.

2. Section 419.4 is amended by changing paragraph (c) to read as follows:

(c) For any crop year applications shall be submitted to the county office on or before the following applicable closing date preceding such crop year.

(1) January 31 for Crosby, Floyd, Hale, Lamb, Lubbock, and Lynn Counties, Texas.

(2) March 25 for all counties in Arizona, California, and New Mexico.

(3) March 31 for Houston County, Alabama; Burke and Dooly Counties, Georgia; all parishes in Louisiana; Beckham and Custer Counties, Oklahoma; Covington, Jefferson Davis, Marion, and Walthall Counties, Mississippi; Orangeburg County, South Carolina; and Bell, Burleson, Collin, Ellis, Falls, Fannin, Grayson, Hill, Hunt, Lamar, McLennan, Milam, Navarro, Red River, and Williamson Counties, Texas.

(4) April 10 for all other counties.

3. Section 31, Date Table, of the policy as shown in § 419.13 is amended to change the cancellation date for Oklahoma to February 28.

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interprets or applies secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U. S. C. 1507, 1508, 1509)

Adopted by the Board of Directors on March 4, 1952.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved on March 6, 1952.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2828; Filed, Mar. 11, 1952; 8:48 a. m.]

[Amdt. 6]

PART 420—MULTIPLE CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The above-identified regulations, as amended, (14 F. R. 5303, 6787, 7827; 15 F. R. 2485, 2622, 3077, 4161, 9033, 9271; 16 F. R. 579, 4300, 4829, 12111, 12765) are hereby amended, effective beginning with the 1952 crop year, as follows:

1. Section 420.20, as amended, is amended by changing paragraph (a) to read as follows:

(a) Multiple crop insurance may be provided in counties, not in excess of the number prescribed by the Federal Crop Insurance Act, as amended, designated annually by the Manager of the Corporation from a list of counties approved by the Board of Directors of the Corporation. A list of the counties designated shall be published annually by appendix to this section.

2. Section 420.24, as amended, is amended to read as follows:

§ 420.24 *Application for insurance.* Application for insurance on a Corporation form entitled "Application for Multiple Crop Insurance" may be made by any person to cover his interest as landlord, owner-operator, tenant or sharecropper in all insurable crops in the county. For any crop year applications shall be submitted to the county office on or before the applicable closing date for such crop year. The closing dates for the 1952 crop year are as follows:

State and county	*Closing date*
Alabama:	
Blount	Apr. 10, 1952
Butler	Mar. 15, 1952
All other counties	Mar. 31, 1952
Arkansas	Mar. 31, 1952
Colorado	Do.
Delaware	Oct. 31, 1951
Florida	Mar. 15, 1952
Georgia:	
Colquitt	Do.
Mitchell	Do.
All other counties	Mar. 31, 1952
Illinois:	
Johnson	Do.
All other counties	Oct. 31 1951
Indiana:	
Hamilton	Mar. 31, 1952
All other counties	Oct. 31, 1951
Iowa	Mar. 31, 1952
Kansas	Sep. 30, 1951
Louisiana	Mar. 31, 1952
Maryland	Oct. 31, 1951
Michigan:	
Gratiot	Mar. 31, 1952
All other counties	Oct. 31, 1951
Minnesota	Mar. 31, 1952
Mississippi	Do.
Missouri	Do.
Nebraska	Do.
New Jersey	Oct. 31, 1951
New York	Do.
North Carolina	Mar. 31 1952
North Dakota	Do.
Ohio	Oct. 31, 1951
Oklahoma	Sep. 30, 1951
Oregon:	
Linn	Oct. 31, 1951
Malheur	Mar. 31, 1952
Marion	Nov. 15, 1951
Pennsylvania	Oct. 31, 1951
South Dakota	Mar. 31, 1952
Tennessee:	
Franklin	Sep. 30, 1951
Obion	Feb. 28, 1952
Weakley	Do.
All other counties	Mar. 31, 1952
Texas:	
Johnson	Do.
Smith	Do.
All other counties	Sep. 30, 1951
Utah	Oct. 31, 1951
West Virginia	Do.
Wisconsin:	
Waupaca	Do.
All other counties	Mar. 31, 1952
Wyoming	Do.

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interprets or applies secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U. S. C. 1507, 1508, 1509)

Adopted by the Board of Directors on March 4, 1952.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved on March 6, 1952.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2827; Filed, Mar. 11, 1952; 8:48 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1061 (52)-1, Supp. 4]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

SUBPART—1952

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture under sections

7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, the 1952 National Agricultural Conservation Program, issued August 31, 1951 (16 F. R. 9006), as amended September 25, 1951 (16 F. R. 9859), December 3, 1951 (16 F. R. 12306), and February 28, 1952 (17 F. R. 1931), is further amended as follows:

1. Section 701.312 (a) is amended by changing the reference to "§ 701.368" in the second sentence to "§ 701.369."

2. Section 701.312 (b) is amended by inserting the following as the fifth sentence: "Further, in counties where the county committee, the designated representative of the Soil Conservation Service in the county, and the Forest Service representative having jurisdiction of farm forestry in the county determine that there is need for making a prior determination that land to be cleared under § 701.369 is suitable for clearing for the purpose of establishing a stand of forest trees, the Soil Conservation Service technician shall have the responsibility for such prior determination of suitability."

3. Section 701.336 (b) (*Practice B–5–b*) is amended by inserting the wording "fused tricalcium phosphate," after the comma following the word "superphosphate" in the title of the practice, in the first sentence of subparagraph (1), and in item (1) under "*Maximum assistance.*"

4. A new section is added under the subheading "Practices to Establish, Restore, and Maintain Farm Woodlands," as follows:

§ 701.369 *Practice F–6: Clearing land to permit planting or natural reseeding of forest trees.* Assistance is limited to clearing land occupied largely by scrubby brush of no economic value to permit planting or natural reseeding of desirable species of forest trees. Technical assistance must be utilized to determine the suitability of the land for clearing and the measures necessary to prevent erosion. Necessary erosion-preventive measures must be carried out as soon as practicable. The area cleared must be established in forest trees as soon as practicable. Except in cases where the county committee determines that there are sufficient seed trees and that other conditions are such that a satisfactory stand of desirable species can be obtained through natural reseeding without supplemental planting, trees must be planted within 1 year after clearing is completed.

Maximum assistance. 50 percent of the average cost of clearing, but not in excess of $10 per acre.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7–17, 49 Stat. 1148, as amended; 16 U. S. C. 590g–590q)

Done at Washington, D. C., this 7th day of March 1952.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2894; Filed, Mar. 11, 1952; 8:53 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter F—Determination of Normal Yields and Eligibility for Abandonment and Crop Deficiency Payments

[Sugar Determination 848.2]

PART 848—VIRGIN ISLANDS

1952 AND SUBSEQUENT CROPS

Pursuant to the provisions of section 303 of the Sugar Act of 1948 (herein referred to as "act"), the following determination is hereby issued:

§ 848.2 *Normal yields and eligibility for abandonment and crop deficiency payments*—(a) *Farm normal yields.* The normal yield of commercially recoverable sugar in hundredweight per acre for any sugarcane farm in the Virgin Islands shall be established for the 1952 and each subsequent crop year as follows:

(1) For a farm on which sugarcane was grown and marketed (or processed by the producer) for the extraction of sugar in three or more of the next preceding five crop years, the normal yield shall be the simple average of the annual average yields of sugar per acre of sugarcane harvested from the farm for the extraction of sugar in all of such years in which sugarcane was harvested.

(2) For a farm on which sugarcane was grown and marketed (or processed by the producer) for the extraction of sugar in less than three of the next preceding five crop years, the normal yield shall be the simple average of the normal yields per acre, which are computed pursuant to subparagraph (1) of this paragraph, for all other farms within the same local producing area.

(b) *Eligibility for abandonment and crop deficiency payments.* For a farm to be eligible for abandonment or crop deficiency payments with respect to the 1952 and any subsequent crop, the following conditions shall have been met:

(1) The acreage abandonment or the crop deficiency below 80 percent of the applicable normal yield for the acreage harvested was directly due to drought, flood, storm, freeze, disease or insects;

(2) The acreage abandoned or the acreage harvested with respect to which there was a crop deficiency was suitable for the production of sugarcane and was cared for up to the time of abandonment or harvest, as the case may be, in a manner which could have been expected under average conditions to produce a normal crop of sugarcane;

(3) The farm or a part thereof was located in a local producing area in which the actual yields of sugar were below 80 percent of the applicable farm normal yields on 10 percent or more of either (i) the number of farms and parts of other farms located therein or (ii) the total acreage of sugarcane harvested from all such farms and parts of other farms; and

(4) The other conditions for payment specified in Title III of the act have been met.

(c) *Delegation.* Farm normal yields shall be established and eligibility for abandonment and crop deficiency payments shall be determined in accordance with the foregoing provisions by the Director of the Caribbean Area Office of the Production and Marketing Administration and his approval on the application for payment shall constitute determination that the farm covered thereby is eligible for abandonment and/or crop deficiency payments.

(d) *Definitions.* (1) "Sugar" shall mean sugar commercially recoverable from the sugarcane grown on the farm marketed (or processed) for the extraction of sugar.

(2) In establishing normal yields, acreage of sugarcane "harvested" shall mean the acreage from which sugarcane was harvested for the extraction of sugar plus the acreage of sugarcane with respect to which there was bona fide abandonment as a result of drought, flood, storm, freeze, disease or insects.

(3) "Local producing area" shall include all nearby farms or parts of farms which are similar with respect to types of soil or with respect to topography, as determined by the Directors: *Provided, however,* That farms or parts of farms separated from other farms or parts of farms by any natural barrier or large area of land shall not be included within the same local producing area.

This determination supersedes with respect to the 1952 and subsequent crop years, the "Determination of Normal Yields of Commercially Recoverable Sugar Per Acre and Eligibility for Payment with Respect to Abandonment and Crop Deficiency for Sugarcane Farms in the Virgin Islands (Revised)", issued February 3, 1948, (13 F. R. 571).

STATEMENT OF BASES AND CONSIDERATIONS

Requirements of the act. Section 303 of the act authorizes the Secretary to make payments to producers of sugar beets or sugarcane with respect to bona fide abandonment of planted acreage and crop deficiencies of harvested acreage under certain conditions. The payments are based on normal yields of commercially recoverable sugar per acre, as established for individual farms under determinations issued by the Secretary.

Historical background. The payment provisions of the act became applicable to the Virgin Islands beginning with the 1942 crop. For the crops of 1942 through 1951, normal yields for farms in this area were based on the weighted average yield of commercially recoverable sugar per harvested acre obtained during base periods consisting of three crop years deemed to be representative of the yields to be expected under normal conditions. For the crop years 1942 through 1947, the base period consisted of the crop years 1935, 1936, and 1939. For the crop years 1948 through 1951, the base period included the crop years 1945, 1946, and 1947. The weighted average yield per harvested acre in the Virgin Islands for these base periods were 16.2 and 29.0 hundredweight, respectively.

Base periods. The use of fixed base periods covering selected crop years does not adequately reflect changes in yields.

This is indicated by the significant variations in the average yields for the former base periods, as shown above, and in the annual yields for the years 1948, 1949, 1950, and 1951, which were 26.1, 24.1, 52.6, and 38.9 hundredweight per acre, respectively. Fixed base periods benefit those producers who obtained abnormally high yields in the selected base years, while the effect is the reverse with respect to those producers who obtained subnormal yields in those years. It is believed that the use of moving base periods will reflect current changes more adequately, will assure equitable treatment among all producers, and will provide a sounder basis for the computation of any acreage abandonment or crop deficiency payments which may be applied for in the future. Accordingly, this determination provides that the normal yields for farms will be established for the 1952 and each subsequent crop year from the average yields obtained on the farms in the next preceding five crop years. An average yield per acre of 32.05 hundredweight of sugar was obtained in the Virgin Islands in the base period to be effective for the 1952 crop. Moving base periods have been used continually for normal yield purposes in the sugar beet area and have also been adopted in recent years for the mainland cane, Hawaiian and Puerto Rican sugarcane areas.

Eligibility for abandonment and crop deficiency payments. The basic provisions regarding eligibility for these payments have been in effect for several years and have proven to be generally satisfactory. Minor changes have been made to give recognition to the location and production of parts of farms in a local producing area and to provide that the "10 percent or more" clause relating to the extent of crop damage shall apply either to the number of farms and parts of other farms or to the number of harvested acres of sugarcane in the local producing area. Except for these changes, the provisions are the same as those which were in effect last year.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the provisions of section 303 of the act.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup., 1153. Interprets or applies sec. 303, 61 Stat. 930; 7 U. S. C. Sup. 1133)

Issued this 7th day of March 1952.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2896; Filed, Mar. 11, 1952; 8:53 a. m.]

Subchapter I—Determination of Prices

[Sugar Determination 877.4, Amdt. 1]

PART 877—SUGARCANE; PUERTO RICO

1951–52 CROP

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948, the determination of fair and reasonable prices for the 1951–52 crop of Puerto Rican sugarcane issued December 29, 1951, as § 877.4 (16 F. R. 139), is hereby amended by deleting § 877.4 (a) (2) and substituting the following:

§ 877.4 *Fair and reasonable prices for the 1951–52 crop of Puerto Rican sugarcane.* * * *

(a) * * *

(2) "Sugar yield period" means the 2-week, 4-week, semi-monthly or monthly period, as agreed upon by the producer and processor-producer, in which sugarcane is delivered by the producer to the processor-producer. Semi-monthly means (i) the first 15 days of a 29, 30, or 31 day month, or the first 14 days of a 28-day month; or (ii) the last 14 days of a 28 or 29 day month, the last 15 days of a 30 day month, or the last 16 days of a 31 day month.

Statement of bases and considerations. This amendment provides additional sugar yield periods which may be used for purposes of sugarcane settlement. Heretofore, the 1951–52 crop price determination required that producers and processors agree upon a period of either a fortnight or a month as the sugar yield period. This amendment provides that agreement may be with respect to any of the four different periods, i. e., 2-week, 4-week, semi-monthly or monthly. The term "fortnight" has been deleted inasmuch as the generally accepted definition of fortnight is a 2-week period. However, the term "semi-monthly" is defined to include the stated portions of a month customarily regarded as a fortnight in Puerto Rico.

The original limitation as to sugar yield periods was designed to effect uniformity and simplicity in recording sugarcane settlements throughout the industry. Certain processors, however, whose operations in the past have been related to periods not provided in the 1951–52 price determination prior to amendment, reported that operational changes would have to be made unless additional time periods were provided. This amendment will permit the use of sugar yield periods in accordance with customary practice. The changes provided herein will not materially affect the share of sugar received by producers for their sugarcane.

Accordingly, I hereby find and conclude that the foregoing amendment to the price determination will effectuate the price provisions of the Sugar Act of 1948.

(Sec. 403, 61 Stat.; 932; 7 U. S. C. Sup. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. Sup. 1131)

Issued this 7th day of March 1952.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2897; Filed, Mar. 11, 1952; 8:54 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Interpretation No. 1]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

MINIMUM CONTROL SPEED

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 7th day of March 1952.

The Board has been asked for an interpretation of § 4b.133 (a) (8) of the Civil Air Regulations, as added by Amendment 4b–6 dated January 28, 1952. This provision became effective on March 5, 1952, and reads as follows:

(8) The propeller of the inoperative engine windmilling, except that a different position of the propeller shall be acceptable if the specific design of the propeller control makes it more logical to assume the different position.

The question presented is whether the Administrator, in certificating new types of transport category airplanes after the effective date of this provision, will be required to accept a value for the one-engine inoperative minimum control speed provided for by § 4b.133 which has been established with the propeller of the inoperative engine feathered where the airplane involved has an approved automatic propeller feathering system, or whether he may require such value to be established with such propeller windmilling irrespective of the automatic feathering system.

The Board, having considered the language of the provision above set forth, the history which preceded its adoption, particularly the comments submitted thereon, and the purpose and intent of its sponsors hereby issues the following interpretation, which in accordance with section 3 (a) of the Administrative Procedure Act will be published in the FEDERAL REGISTER and will become incorporated in Part 4b of the Civil Air Regulations:

(1) The Board interprets and construes subparagraph (8) of § 4b.133 (a) as requiring the Administrator to accept for the purposes of § 4b.133 a value for the one-engine inoperative minimum control speed which has been established in accordance with the provisions of that section with the propeller of the inoperative engine feathered: *Provided*, That the airplane involved is equipped with an automatic feathering device acceptable to the Administrator under § 4b.10 for demonstrating compliance with the take-off path and climb requirement of §§ 4b.116 and 4b.120 (a) and (b).

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 603, 52 Stat. 1007, as amended, 1009; 49 U. S. C. 551, 553)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 52-2893; Filed, Mar. 11, 1952; 8:53 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

[B. A. I. Order 371, Amdt. 1]

PART 95—SANITARY CONTROL OF ANIMAL BYPRODUCTS (EXCEPT CASINGS), AND HAY AND STRAW, OFFERED FOR ENTRY INTO THE UNITED STATES

IMPORTATIONS FROM CANADA

Pursuant to the authority vested in the Secretary of Agriculture by section 2,

of the act of February 2, 1903, as amended (sec. 2, 32 Stat. 792, as amended, 21 U. S. C. 111), § 95.4 of the regulations governing the sanitary control of animal byproducts (except casings), and hay and straw, offered for entry into the United States (9 CFR, 95.4), is hereby revoked.

Section 95.4, *Importations from Canada*, excepted from the restrictions contained in 9 CFR, Part 95, animal byproducts and hay and straw imported from Canada. The effect of this amendment, therefore, is to make those restrictions applicable to such commodities when so imported. This action is taken because the Secretary of Agriculture has determined that foot-and-mouth disease now exists in Canada.

The protection of the livestock interests of the United States demands that this amendment be made effective at the earliest possible moment. Accordingly, pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and public procedure concerning this amendment are impracticable and contrary to the public interest, and good cause is found, under the said section 4, for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER. Such notice and hearing are not required by any other statute.

This amendment shall become effective immediately.

(Sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111)

Done at Washington, D. C., this 6th day of March 1952.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2822; Filed, Mar. 11, 1952; 8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52943]

PART 1—CUSTOMS DISTRICTS AND PORTS

CUSTOMS-COLLECTION DISTRICTS AND PORTS

By virtue of the authority vested in him by section 1 of the act of August 8, 1950 (64 Stat. 419), the President, by Executive Order 10289, dated September 17, 1951, delegated to the Secretary of the Treasury the authority theretofore vested in the President by section 1 of the act of August 1, 1914, as amended (19 U. S. C. 2), (1) to rearrange, by consolidation or otherwise, the several customs-collection districts, (2) to discontinue ports of entry by abolishing the same and establishing others in their stead, and (3) to change from time to time the location of the headquarters in any customs-collection district as the needs of the service may require.

1. In view of such delegation of authority, § 1.1 (b), Customs Regulations of 1943 (19 CFR 1.1 (b)), is hereby amended to read as follows:

(b) The terms "port" and "port of entry," as used in the regulations in this part, refer to any place designated by Executive order of the President,[1] by order of the Secretary of the Treasury,[1] or by act of Congress, at which a customs officer is assigned with authority to accept entries of merchandise, to collect duties, and to enforce the various provisions of the customs and navigation laws.

2. Footnote 1 to § 1.1, Customs Regulations of 1943 (19 CFR 1.1), is hereby amended by adding thereto the following paragraph:

By virtue of the authority vested in him by section 1 of the act of August 8, 1950 (64 Stat. 419), the President, by Executive Order 10289, dated September 17, 1951 (16 F. R. 9499), delegated to the Secretary of the Treasury the authority theretofore vested in the President by section 1 of the act of August 1, 1914, as amended (19 U. S. C. 2), (1) to rearrange, by consolidation or otherwise, the several customs-collection districts, (2) to discontinue ports of entry by abolishing the same and establishing others in their stead, and (3) to change from time to time the location of the headquarters in any customs-collection district as the needs of the service may require.

3. The citation of authority at the end of § 1.1, Customs Regulations of 1943 (19 CFR 1.1) is amended to read as follows:

(Sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended; 19 U. S. C. 1, 2. President's message of March 3, 1913, T. D. 33249, E. O. 10289, Sept. 17, 1951, 16 F. R. 9499)

4. In order to eliminate a discrepancy with § 1.2 (a), Customs Regulations of 1943 (19 CFR 1.2 (a)), relating to the designation of places in the various customs-collection districts in the United States as customs stations, it is advisable to change the designations of the places in Canada where United States customs officers are stationed, listed in § 1.3, Customs Regulations of 1943 (19 CFR 1.3), from "Customs Stations" to "Customs Offices."

5. To accomplish such changes in designations, and to correct the list of customs offices in Canada to date, § 1.3 of the Customs Regulations of 1943 (19 CFR 1.3) is hereby amended to read as follows:

§ 1.3 *Customs offices in Canada.* There are listed below the places in the Dominion of Canada where United States customs officers are stationed, the customs districts under which they function, and the comptrollers of customs having jurisdiction over such districts:

Customs office	Customs district having supervision	Comptroller having supervision
St. Andrews, New Brunswick (summer)	Maine and New Hampshire	Boston, Mass.
St. John, New Brunswick (winter)	do	Do.
Montreal, Quebec	Vermont	Do.
Toronto, Ontario	Buffalo	New York, N. Y.
Vancouver, British Columbia	Washington	San Francisco, Calif.
Prince Rupert, British Columbia	Alaska	Do.

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: March 5, 1952.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 52-2845; Filed, Mar. 11, 1952; 8:49 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 526—INDUSTRIES OF A SEASONAL NATURE

APPLICATION FOR EXEMPTION OF THE CHEMICAL PRESERVATION OF CITRUS PEEL IN FLORIDA AS AN INDUSTRY OF A SEASONAL NATURE

On February 8, 1952, notice was published in the FEDERAL REGISTER (17 F. R. 1226) that the authorized representative of the Administrator of the Wage and Hour Division designated to hear and consider this matter had denied a petition for the exemption of the chemical preservation of citrus peel in Florida as an industry of a seasonal nature pursuant to section 7 (b) (3) of the Fair Labor Standards Act.

The notice provided that any person aggrieved by said determination could, within 15 days after the date of publication of the notice in the FEDERAL REGISTER, file a petition with the Administrator requesting that he review the action of the authorized representative upon the record of the hearing. No petition for review has been filed. Accordingly, pursuant to the provisions of § 526.7 of the regulations, the findings and determination of the authorized representative have become final.

Signed at Washington, D. C., this 6th day of March 1952.

F. GRANVILLE GRIMES, JR.,
Acting Administrator.
Wage and Hour Division.

[F. R. Doc. 52-2814; Filed, Mar. 11, 1952; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 55, Amdt. 2, to Supplementary Regulation 5]

CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

SR 5—CEILING PRICE ADJUSTMENT FOR CERTAIN CANNED TOMATO PRODUCTS

CANNED TOMATO SAUCE (INCLUDING HOT SAUCE) ADJUSTMENT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2 this Amendment 2 to Supplementary Regulation 5 to Ceiling Price Regulation 55 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment increases the amounts of the low-end adjustments provided by SR 5 to CPR 55 for 8-oz. containers of tomato sauce and hot sauce. The low-end ceiling price for 8-oz. fancy grade tomato sauce is increased from 64 cents to 65 cents per dozen, the low-end ceiling price of 59 cents for "other grades" of 8-oz. tomato sauce and hot sauce is increased to 60 cents and is made applicable to standard grade only of tomato sauce and "all grades" of hot sauce, while a new low-end price of 62½ cents per dozen is named for 8-oz. extra standard grade of tomato sauce.

During the base period, selling price relationships between processors of tomato sauce were substantially out of line with the normal price relationships which existed among these sellers in other pre-Korean years. SR 5 as originally issued attempted to remove the price distortions which arose from the application of the pricing formula under CPR 55. However, it has been determined that an adjustment sufficient to restore more normal price relationships was not provided by SR 5 for those processors of tomato sauce whose ceiling prices under CPR 55, in general, were 64 cents or less per dozen for 8 oz. fancy tomato sauce. Accordingly, an additional low-end adjustment of 1 cent is provided for fancy 8 oz. tomato sauce. The normal differential for extra standard tomato sauce is 15 cents per case below the fancy price, and a low-end ceiling price at that level is provided for that grade. The low-end adjustment previously applicable to "all other grades" is increased by 1 cent and is made applicable to standard grade tomato sauce, and to "all grades" of hot sauce.

The adjustments provided by this amendment will more nearly restore the pre-Korean selling price relationships between different processors of tomato sauce and hot sauce.

The Director of Price Stabilization has consulted with members of the industry who will be affected by this amendment and has given consideration to their recommendations. In his judgment the prices established by this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 5 to Ceiling Price Regulation 55 is amended in the following respects:

The table in section 4 (b) is amended by changing the figure $0.64 for 8-oz. fancy grade tomato sauce to $0.65, by adding the figure $0.625 for 8-oz. extra standard grade tomato sauce, by changing the figure $0.59 for 8-oz. "other grades" of tomato sauce to $0.60 for 8-oz. standard grade tomato sauce and by changing the figure $0.59 for 8-oz. hot sauce, all grades, to $0.60, so that the table shall read as follows:

Product	Container size and grade	Adjusted ceiling price (per dozen containers)
Canned tomato sauce	8-oz., fancy grade	$0.65
Canned tomato sauce	8-oz., extra standard grade	.625
Canned tomato sauce	8-oz., standard grade	.60
Canned tomato sauce	No. 10, all grades	None
Canned hot sauce	8-oz., all grades	.60
Canned hot sauce	No. 10, all grades	None

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C., App. Sup. 2154)

Effective date. This amendment shall be effective March 17, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 11, 1952.

[F. R. Doc. 52-2975; Filed, Mar. 11, 1952; 11:32 a. m.]

[Ceiling Price Regulation 61, Supplementary Regulation 2]

CPR 61—EXPORTS

SR 2—EXPORT SALES OF GR–S TYPE SYNTHETIC RUBBER

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Supplementary Regulation 2 to Ceiling Price Regulation 61 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 2 to Ceiling Price Regulation 61 establishes ceiling prices on export sales of GR–S type synthetic rubber (butadiene-styrene copolymer).

The sole source of this rubber today in the United States is the Reconstruction Finance Corporation. The RFC intends to allocate a substantial tonnage quarterly of GR–S type synthetic rubber for export from the United States. Hitherto, GR–S was exported from the United States in very insignificant quantities. Consequently, exporters have little base period experience from which they can compute a base period markup. It is necessary, therefore, that OPS establish such markup.

The world price of natural rubber is quoted currently at about $0.38. The GR–S rubber to be allocated by the RFC for export is a satisfactory substitute for natural rubber. However, the cost price at which the RFC will sell the GR–S rubber to the exporters is much lower than the world market price for natural rubber.

In view of the high world price of rubber, relatively little selling effort and financial risk are required on the part of the American exporter who is selling GR–S rubber. This supplementary regulation limits, therefore, the markup that can be taken by these exporters to 3 percent over their cost of acquisition on sales by the exporters in quantities equivalent to carload lots and 3½ percent on sales in quantities less than carload lots. These markups are considered to be equitable and customary in the export trade for export sales of a commodity when the world demand for the commodity renders relatively insignificant the selling effort and risk required to accomplish the sales.

To the export ceiling price established by this supplementary regulation may be added the actual costs of exportation. These costs are defined in section 3 so that the exporter may only take actual packaging, freight, lighterage and insurance costs experienced by him.

In the formulation of this regulation there has been consultation with representatives of industry, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Ceiling prices for export sales of GR–S type of synthetic rubber.
3. Costs of exportation.
4. Miscellaneous.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SECTION 1. *What this supplementary regulation does.* This Supplementary Regulation 2 to Ceiling Price Regulation 61 establishes ceiling prices on export sales of GR–S type of synthetic rubber (butadiene-styrene copolymer).

SEC. 2. *Ceiling prices on export sales of GR–S type of synthetic rubber.* The ceiling price on an export sale of a GR–S type of synthetic rubber shall be your cost of acquisition, plus a markup over your cost of acquisition, of 3 percent for shipments by you in quantities equivalent to carload lots and 3½ percent for shipments in quantities less than carload lots. The cost of acquisition used in this computation must not exceed the ceiling price for sales of the GR–S type of synthetic rubber by the Office of Rubber Reserve, Reconstruction Finance Corporation, f. o. b. point of production, as established by Supplementary Regulation 57, as amended, to the General Ceiling Price Regulation.

SEC. 3. *Costs of exportation.* To the export ceiling price established in section 2 of this supplementary regulation, you may add the following actual costs: (a) Actual special packaging charges which may be made by the Reconstruction Finance Corporation, (b) actual inland freight charges made by the Reconstruction Finance Corporation, but not more than $1.00 per cwt. for carload lots, and not more than $1.60 per cwt. for less than carload lots, (c) actual lighterage charges to the vessel, and (d) actual costs of ocean freight and insurance.

SEC. 4. *Definitions.* The terms used in this Supplementary Regulation 2 to

CPR 61 shall be construed in the following manner:

(a) "Carload lot" means a shipment in the minimum amount of 60,000 pounds (avdp.).

SEC. 5. *Miscellaneous.* Except as herein modified, all the provisions of CPR 61 remain in effect with reference to sales made under this supplementary regulation.

Effective date. This supplementary regulation to CPR 61 shall become effective on March 17, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 11, 1952.

[F. R. Doc. 52-2976; Filed, Mar. 11, 1952; 11:32 a. m.]

[Distribution Regulation 1, Revision 1]

DR 1—FAIR DISTRIBUTION OF LIVESTOCK AND MEAT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Delegation of Authority by the Secretary of Agriculture with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Distribution Regulation 1, Revision 1, is hereby issued.

Preamble—The purpose of this revised regulation. Experience during World War II and since the outbreak of the Korean hostilities has shown that sharp increases in meat prices are likely in times of rising national income and increased government spending. The price ceilings on meat are designed to meet this danger and thereby to eliminate a serious threat to the stability of the economy and to the success of the defense effort.

Experience has also demonstrated that the price ceilings on meat require for their successful operation a program designed to keep livestock and meat moving in normal channels of distribution. Accordingly, Distribution Regulation 1 established slaughter quotas, and also limited entry into the slaughtering business to those persons who could demonstrate that their proposed operation was essential and would promote the national defense.

Congress in extending the Defense Production Act banned slaughter quotas but preserved the authority to impose limitations on new slaughterers. This was based on recognition of the fact that unlimited access to the slaughtering business created a substantial danger of a black market. This revision of Distribution Regulation 1, therefore, preserves the registration provisions of the old regulation containing the restrictions on entry.

Livestock are raised in almost every section of the country. A man with the necessary skill needs almost no facilities to slaughter any species of livestock. Furthermore, both livestock and meat are easily transported. Because of these facts it is possible for meat to be produced to supply an insistent demand in a manner totally different from the normal patterns of distribution and wholly apart from the regular channels of the meat-packing and meat-distributing industry. Experience has shown that this danger may result either from an initial entrance into the business of slaughtering by persons who have never slaughtered livestock before or from expansion of existing slaughterers into new business ventures through the purchase of additional slaughtering establishments, the slaughter of new species of livestock or through engaging in new and additional patterns of operation. To the extent that production and distribution thus begin to develop in a pattern different from the norm and are diverted outside of the established channels of the industry, grave and even irreparable harm is ultimately done to thousands of businesses throughout the country. Experience in World War II showed clearly how seriously long established companies in the meat business—large as well as small—were eventually injured by the dislocation in the regular patterns and channels of distribution. In addition to the hardship imposed upon business, there resulted a grave maldistribution of meat, some areas receiving very large quantities of all or certain kinds of meat for consumption while many areas, densely populated and important for the national defense effort, received much too little.

The quota provisions of Distribution Regulation 1 were believed to be the best means of dealing with this problem. However, even in the absence of quotas the registration features of Distribution Regulation 1 are of considerable value in preserving a normal pattern of livestock and meat distribution. Accordingly, this revision preserves the slaughter registration program as an essential device to keep livestock and meat moving in normal channels and thereby to preserve the stability of the economy and promote the national defense.

The purpose of this revision of Distribution Regulation 1 is fourfold:

I. To clarify the registration requirements and incidents of registration under Distribution Regulation 1 and to set forth more specifically many of the criteria that have been developed by interpretation under that regulation.

II. To make more effective the provisions requiring suppliers to sell meat to institutions of involuntary confinement.

III. To provide for suspensions, revocations and amendments of registrations granted and of other actions taken under Distribution Regulation 1.

IV. To make various miscellaneous amendments to the provisions of Distribution Regulation 1.

I. Amendment 7 to the old Distribution Regulation 1 eliminated all provisions relating to slaughter quotas in accordance with the mandate of the 1951 amendment to section 101 (a) of the Defense Production Act of 1950, commonly known as the Butler-Hope Amendment. As indicated in the preamble to Amendment 7, that amendment was a temporary measure pending completion of work on the revision of Distribution Regulation 1.

This revision is largely for purposes of clarification. It makes it clear that despite the elimination of the quota provisions of the old Distribution Regulation 1, registration will be continued by species, establishment, and with relation to the persons for whom slaughtering was performed during the base period.

The Office of Price Stabilization has been handicapped in the past in its attempts to keep an accurate check on the operations of Class 1A and Class 2A slaughterers due to lack of sufficient records showing the slaughter for which such slaughterers are registered. In order to remedy this situation, this revision prohibits a Class 1A or Class 2A slaughterer from having livestock slaughtered by a Class 1 or Class 2 slaughterer after April 1, 1952, unless he has first filed with the appropriate office of the Office of Price Stabilization a copy of his DO 1–4 or DO 1–5 form covering such slaughter. However, this requirement is deemed satisfied if the slaughterer has, by April 1, 1952, filed with the appropriate office of the OPS a statement listing slaughter bases for such slaughter or a Form DO 1–5 covering such slaughter, pursuant to the applicable reporting provisions of section 17 (b).

In addition to clarifying the requirements for, and incidents of, registration, this revised regulation also sets forth specifically many of the criteria which have been developed in applying the provisions of section 9 of the old Distribution Regulation 1. Thus, specific exemplary situations are set forth in the relief and adjustment section in which relief of various types may be granted. For example, specific provision is made for permitting applications for relief in the form of registration where a substantial unrecoverable investment has been made in slaughter facilities prior to February 9, 1951, and the applicant was unable to slaughter during the base period due to the facilities being in the process of completion or to compelling circumstances beyond the applicant's control.

Provision is also made in this revised regulation for the transfer of the registration rights of Class 1A and Class 2A slaughterers where such transfer is in conjunction with the transfer of an establishment in which a bona-fide substantial investment has been made and the value of which has historically been linked with the right to have livestock slaughtered. An investment made solely for the purpose of effectuating a transfer would, of course, not be considered bona-fide. A similar requirement of a bona-fide investment has specifically been set forth in the section providing for transfer of Class 1 or Class

2 establishments. The Director is of the opinion that the imposition of these requirements is justified in view of the fact that the primary reason for permitting such transfers has been to relieve from an undue hardship a person who wishes to withdraw from a business in which he has made a sizeable investment the value of which is dependent upon a slaughter registration. The requirement that the transferor join in an application for transfer of a Class 1, Class 2, Class 1A or Class 2A registration has been eliminated where the transfer of the establishment is involuntary or by operation of law. However, the court order or legal document, if any, effecting such transfer must be included by the transferee as part of his application in such cases. The term "transfer of an establishment" has been redefined to include the accepting, from other than financial institutions, of loans or advances in excess of ten percent of the net worth at the time of such loan or advance.

Finally, express provision is made for registration of new Class 1A and Class 2A slaughterers where criteria are met similar to those imposed under the old Distribution Regulation 1 for new registrations of Class 1 and Class 2 slaughterers. Registrations of new Class 1A's and 2A's have been handled in the past under the adjustment clause. There have been added to the criteria for new registrations of Class 1 and Class 2 slaughterers specified minimum sanitation and equipment requirements. These requirements have also been added as a condition to transfer of a Class 1 or Class 2 slaughter registration. The Director feels that the imposition of these additional criteria is justified by the effect they will have in preventing unnecessary waste of meat and of by-products.

II. Amendment 5 to the old Distribution Regulation 1 provided for compulsory deliveries of meat to institutions of involuntary confinement by suppliers, based on historical records of such deliveries by such suppliers. However, the provisions of that section have been inadequate to meet the requirements of these institutional users. This has been in part due to the fact that the provisions were drafted in general terms and in part to the lack of adequate sanctions for failure to comply with such provisions. This revised regulation, therefore, revises those provisions to require deliveries of meat of the same or comparable grade and kind as that delivered during 1950. Furthermore, if carcasses were delivered in 1950 carcasses must be delivered in the current period. Deliveries must be made, to the extent that meat is available and subject to obligation, within seven days after each delivery date specified in a purchase order which must be furnished by the institutional user to the supplier at least seven days prior to the month in which such deliveries are desired. If the institutional user fails to receive the meat requested, up to the amount of such meat the supplier is required to deliver in a given month, the supplier may not deliver any meat to anyone other than an institutional user until obligations to that institutional user are met or until the 15th day of the following month, whichever occurs first.

Provision is also made for assignment of purchase bases to new institutional users who do not have records of purchases during all or part of 1950. The OPS will also assign to suppliers the obligation to supply these new institutional users or institutional users whose old suppliers have discontinued business.

Express provision is made to the effect that the obligation to supply institutional users imposed by this revised regulation must be given priority over any other commitment or obligation. The obligation to supply an institutional user must therefore be given precedence over any obligation to supply the military under Distribution Regulation 3.

III. Since the issuance of Distribution Regulation 1 on February 9, 1951, there have been several instances of violations of the provisions of that regulation, including cases involving applications containing erroneous information on the basis of which OPS has acted. To the extent that the primary objective of the provisions of all of the meat regulations in the Distribution Regulation series is to promote the orderly distribution of meat through normal channels by exercise of the allocation power, violations of those provisions will tend to disrupt normal distribution patterns. Past experience has shown that, in certain cases, the most effective way of assuring the continuance of normal distribution patterns is by providing, through a further exercise of the allocation power, for the suspension or revocation of registration rights by administrative order; the violator is thus cut off from the privilege of dealing in this manner with the materials being allocated. This revised regulation therefore provides for such orders in cases involving violations of any meat regulation in the Distribution Regulation series. In addition, provision is made for automatic suspension of OPS registration rights for any period of time during which a slaughtering establishment is not in operation due to a suspension or other order of a federal, state, county, city, or municipal government or agency.

In addition to the violation cases noted above, there have been many cases in which the OPS has taken actions on the basis of false information, whether intentionally false or otherwise, contained in applications or other documents. This revised regulation provides for the revocation or amendment of such action in order to reflect the true facts when such facts are established.

Distribution Procedural Regulation 1 provides for the procedures to be followed in revoking or suspending registrations. That regulation also provides for appeals, and, in some cases, formal hearings on actions taken under the old Distribution Regulation 1 or under this revised regulation.

IV. In addition to the revisions outlined in the preceding paragraphs, several miscellaneous revisions have been made in the provisions of Distribution Regulation 1.

1. Class 3 slaughterers and slaughterers for home consumption were not required under old Distribution Regulation 1 to furnish any statements or reports with respect to slaughter which they performed themselves in municipal or other public slaughtering establishments. Thus, it has been difficult for both OPS, as well as the managers or owners of such establishments, to keep a check on any possible abuses of the provisions governing such slaughter. In order to remedy this situation, provision is made for such slaughterers to file statements with the owners or managers of the municipal or public slaughtering establishments at which they perform their own slaughtering. The statements which must be filed by those slaughterers are similar to those which such persons must present to slaughterers who slaughter for them.

2. In addition, the definition of transfer for the purpose of the section governing Class 3 slaughterers has been amended to eliminate from such definition transfers by farmers to locker plants or other places, for storage, of meat derived from livestock raised by the farmer and which is to be ultimately consumed in the farmer's own household.

3. In order to avoid abuse of the provisions permitting the slaughter of "Show" livestock for persons not otherwise authorized to slaughter such livestock or to have it slaughtered, those provisions have been amended by this revision to require compliance on a company-wide rather than an individual establishment basis.

4. The reporting requirements have been amended to make it clear that statements listing slaughter bases, and DO 1–5 forms, required to be filed by Class 1A and Class 2A slaughterers, respectively, need only be filed within five days of the end of the first accounting period in which slaughter for them of any one species by any one Class 1 or Class 2 slaughterer exceeds 25,000 pounds liveweight. However, as noted in a preceding paragraph, a Class 1A or Class 2A slaughterer who has not filed such statements or DO 1–5 forms pursuant to the reporting requirements of section 17 may not continue the custom slaughtering operations covered by those statements or forms after April 1, 1952 unless he has first filed, with the appropriate OPS office, copies of his DO 1–4 or DO 1–5 forms covering such slaughter.

5. The record-keeping provisions of Distribution Regulation 1 have been amended by this revision to require the keeping of records by Class 1A and Class 2A slaughterers similar to those now required to be kept by Class 1 and Class 2 slaughterers. The record-keeping provisions have also been amended to require the keeping of all records which are required to be kept by the old Distribution Regulation 1 or this revised regulation, for the duration of the Defense Production Act of 1950, as amended, plus two years.

6. A section has been added governing the filing of applications, notices, statements, and reports under this revised regulation. Under this section all applications, notices, statements, and reports must be filed with the Livestock and Meat Distribution Branch or Section of the appropriate office of the OPS. The appropriate office will in most cases be the office where the person filing the ap-

plication, notice, statement, or report is registered. Class 1 and Class 1A slaughterers are registered with the National Office. A Class 2 or Class 2A slaughterer is registered with the District Office for the area where his establishment or place of business is located.

7. The additional prohibition section has been amended to specifically prohibit reliance on information contained in documents or statements preserved or filed under the old Distribution Regulation 1 or under this revised regulation by a person who knows or has reason to know that such information is false or erroneous.

8. Finally, several miscellaneous sections have been added to the regulation. These sections cover requests for interpretations, petitions for amendment, enforcement provisions, and a general definition section.

Conclusions. The provisions of this regulation are necessary and appropriate to promote the national defense. In formulating these provisions, the Director of Price Stabilization has consulted with industry representatives and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this revised regulation does.
2. Where this revised regulation applies.
3. Policy of this revised regulation.
4. Applicability to each establishment separately.
5. Classification of slaughterers.
6. Prohibition against slaughtering without registration.
7. Who is registered under this revised regulation.
8. Class 1 and Class 2 slaughterers.
9. Class 1A and Class 2A slaughterers.
10. Class 3 slaughterers.
11. Slaughter of livestock for home consumption.
12. Slaughter of "Club" and "Show" livestock.
13. Sale or transfer of Class 1 or Class 2 slaughtering establishment.
14. Transfer of registration as a Class 1A or Class 2A slaughterer.
15. New registrations for Class 1 or Class 2 slaughterers.
16. New registrations for Class 1A or Class 2A slaughterers.
17. Marking, reports, records, and inspections.
18. Suppliers must sell meats to certain institutional users.
19. Adjustments or other relief.
20. Suspension and revocation of registration.
21. Appeals and review.
22. With whom applications under this revised regulation should be filed.
23. Additional prohibitions.
24. Enforcement.
25. Petitions for amendment.
26. Interpretations.
27. Definitions.

AUTHORITY: Sections 1 to 27 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title I, 64 Stat. 798, as amended; 50 U. S. C. App. Sup. 2061. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *What this revised regulation does.* This revised regulation supersedes Distribution Regulation 1, issued February 9, 1951 ("old Distribution Regulation 1") and all amendments and supplements thereto. If you wish to slaughter any species of livestock (cattle, calves, sheep and lambs, or swine) or if you wish to have any species of livestock slaughtered for you, you are required to determine under this revised regulation whether the slaughter of such livestock by you or for you is permitted at all, and if so the conditions under which such slaughter is permitted.

SEC. 2. *Where this revised regulation applies.* This revised regulation applies in the 48 States and the District of Columbia.

SEC. 3. *Policy of this revised regulation.* It is the policy of this revised regulation to maintain the normal distribution channels of the livestock and meat industry in order to promote the national defense by facilitating the production and orderly distribution of meat. The policy of this revised regulation requires not only that the slaughter of livestock be maintained in normal channels but also that meat be distributed from the slaughtering plant through the normal classes of customers within geographical areas. All slaughterers, custom slaughterers, wholesalers, processors, and industrial users may be required to reflect a pattern of distribution of meat based on all or any part of the period beginning January 1, 1950.

SEC. 4. *Applicability to each establishment separately.* This revised regulation, with the exception of section 12, applies to each slaughtering establishment separately and, for the purposes of this revised regulation, with the exception of section 12, each such establishment shall be deemed to be operated as if owned by a separate person.

SEC. 5. *Classification of slaughterers—*(a) *Class 1 slaughterers.* If you operate a slaughtering establishment which is subject to federal meat inspection under the provisions of the act of March 4, 1907 (34 Stat. 1260, 12 U. S. C. 71) as amended, and the rules and regulations promulgated thereunder, you are, with respect to the species of livestock slaughtered in each such establishment, a Class 1 slaughterer unless such slaughter is covered by section 5 (e) or section 11 of this revised regulation.

(b) *Class 2 slaughterers.* If you operate a slaughtering establishment which is not subject to Federal meat inspection, you are with respect to the species of livestock slaughtered in each such establishment, a Class 2 slaughterer unless such slaughterer is covered by section 5 (e) or section 11 of this revised regulation.

(c) *Class 1A slaughterers.* If you had livestock of a given species slaughtered for you during 1950 by a slaughterer who is designated Class 1 by this revised regulation you are a Class 1A slaughterer with respect to such slaughter unless such slaughter is covered by section 5 (e) or section 11 of this revised regulation.

(d) *Class 2A slaughterers.* If you had livestock of a given species slaughtered for you during 1950 by a slaughterer who is designated Class 2 by this revised regulation, you are a Class 2A slaughterer with respect to such slaughter unless such slaughter is covered by section 5 (e) or section 11 of this revised regulation.

(e) *Class 3 slaughterers.* If you are a resident operator of a farm on which you reside at least 6 months a year, and if, during the calendar year 1950, you transferred some, but no more than 6,000 pounds of meat resulting from your slaughter of livestock or the slaughter of livestock for you, you are a Class 3 slaughterer. See section 10 for definition of "transfer of meat".

SEC. 6. *Prohibition against slaughtering without registration.* You may not slaughter or have slaughtered for you, cattle, calves, sheep and lambs, or swine unless you are a registered Class 1, Class 2, Class IA, or Class 2A slaughterer for that species of livestock or unless you are a resident operator of a farm who comes within the definition of a Class 3 slaughterer contained in section 5 (e) and complies with section 10, or unless such slaughter is covered by section 11 providing for slaughter for home consumption.

SEC. 7. *Who is registered under this revised regulation—*(a) *Class 1 and Class 2 slaughterers.* If you have received from the Office of Price Stabilization, Forms DO 1–1, and OPS Public Form No. 34, as a Class 1 slaughterer, or Form DO 1–2 as a Class 2 slaughterer, you are automatically registered under the provisions of this revised regulation to slaughter, as a Class 1 or Class 2 slaughterer, respectively, the species, at the establishment and for the persons specified in the registration. For the purposes of this revised regulation your registration for such slaughter shall be your Forms DO 1–1, DO 1–3 (if any) and OPS Public Form No. 34, if you are a Class 1 slaughterer, and your Forms DO 1–2 and DO 1–3 (if any) if you are a Class 2 slaughterer. Your registration number shall be the number assigned to you by the Office of Price Stabilization on your registration for such slaughter. See section 15 for new registrations.

(b) *Class 1A slaughterers.* (1) If you have received and retained a signed copy of Form DO 1–4 from a Class 1 slaughterer covering 1950 slaughter for you of a particular species of livestock and you have returned a signed copy of that form to that Class 1 slaughterer you are a registered Class 1A slaughterer for the slaughter for you of such livestock by that Class 1 slaughterer. For the purposes of this revised regulation your registration for the slaughter of such livestock by that Class 1 slaughterer shall be your copy of Form DO 1–4 covering such slaughter. Your registration number for the slaughter of such livestock by that Class 1 slaughterer shall be that Class 1 slaughterer's registration number followed by the number appearing before your name on the Form DO 1–3 filed by that Class 1 slaughter. It is the same number that your Class 1 slaughterer was required to use under the old Distribution Regulation 1 to stamp the meat produced for you.

(2) You may not become registered under this section 7 (b) after April 1, 1952.

(c) *Class 2A slaughterers.* (1) If you have received and retained a signed copy

of Form DO 1–5 from a Class 2 slaughterer covering 1950 slaughter for you of a particular species of livestock and you have returned a copy of that form signed by you to that Class 2 slaughterer you are a registered Class 2A slaughterer for the slaughter for you of such livestock by that Class 2 slaughterer. For the purposes of this revised regulation your registration for the slaughter of such livestock by that Class 2 slaughterer shall be your copy of Form DO 1–5 covering such slaughter. Your registration number for the slaughter of such livestock by that Class 2 slaughterer shall be that Class 2 slaughterer's registration number followed by the number appearing before your name on the Form DO 1–3 filed by that Class 2 slaughterer. It is the same number that your Class 2 slaughterer was required to use under the old Distribution Regulation 1 to stamp the meat produced for you.

(2) You may not become registered under this section 7 (c) after April 1, 1952.

SEC. 8. *Class 1 and Class 2 slaughterers*—(a) *Prohibitions.* (1) You, as a Class 1 or Class 2 slaughterer, may not slaughter any species of livestock unless you have been registered by the Office of Price Stabilization to slaughter such livestock as a Class 1 or Class 2 slaughterer.

(2) If you are registered to slaughter a particular species of livestock but, during the period January 1, 1950 to February 9, 1951, you did not slaughter any such livestock for your own account (as shown on your registration), you may not now slaughter such livestock for your own account.

(3) If you are a Class 1 or Class 2 slaughterer, who is already registered for a given establishment, you may not open another slaughtering establishment and use your registration there.

(4) You may not slaughter livestock of any species for a Class 1A or Class 2A slaughterer for whom you did not slaughter such livestock in the year 1950 (as shown on your Form DO 1–3), except as provided for in sections 9 (b), 9 (c), 12 (f), 14 or 16 (transfers, "Club" and "Show" livestock, and new registrations).

(5) See section 15 for registration for new species, slaughter for your own account, or a new establishment.

(b) *Change in operation.* (1) If you are a Class 1 slaughterer and give up Federal inspection for your establishment and you wish to continue your slaughter business as a Class 2 slaughterer you must notify the National Office within five days before the time you give up Federal inspection. The National Office will cancel your registration as a Class 1 slaughterer and will instruct the District Office for the area where your establishment is located to issue you a registration as a Class 2 slaughterer. After the issuance to you of a Class 2 registration, all the sections pertaining to Class 2 slaughterers will apply to you.

(2) If you are a Class 2 slaughterer and your establishment thereafter becomes subject to inspection under the provisions of the Act of March 4, 1907 (34 Stat. 1260), as amended (12 U. S. C. 71), and the rules and regulations promulgated thereunder, you must notify the District Office for the area where your slaughtering establishment is located within five days of the time when you are granted federal inspection by the United States Department of Agriculture. Upon the issuance to you by the National Office of a Class 1 registration on OPS Form DO 1–1 and OPS Public Form No. 34, both of which will bear your Class 1 registration number, the District Office will cancel your Class 2 registration. Thereafter all the provisions pertaining to Class 1 slaughterers will apply to you.

SEC. 9. *Class 1A and Class 2A slaughterers.*—(a) *Prohibitions.* (1) You, as a Class 1A or Class 2A slaughterer, may not have any species of livestock slaughtered for you by a Class 1 or Class 2 slaughterer unless you are registered by the Office of Price Stabilization as a Class 1A or Class 2A slaughterer to have such livestock slaughtered for you by that Class 1 or Class 2 slaughterer.

(2) You may not in any event have a species of livestock slaughtered for you by a Class 1 or Class 2 slaughterer after April 1, 1952, if you have not, in addition to being registered, filed a copy of your Form DO 1–4 covering such slaughter with the National Office, if you are a Class 1A slaughterer, or your Form DO 1–5 covering such slaughter with the District Office for the area where that Class 2 slaughterer is located, if you are a Class 2A slaughterer. If, by April 1, 1952, you have filed with the appropriate office of the Office of Price Stabilization a statement listing your slaughter bases for such slaughter, pursuant to the provisions of section 17 (b) (3), or a copy of your Form DO 1–5 covering such slaughter, pursuant to the provisions of section 17 (b) (4), you will be deemed to have complied with the requirements of this section 9 (a) (2).

(b) *Rights of Class 1A and Class 2A slaughterers.* (1) If you are a Class 1A or Class 2A slaughterer of a given species of livestock you are entitled to have such livestock slaughtered by the same slaughterer who slaughtered it for you in 1950, as shown by your registration. He is required to continue to slaughter that species of livestock for you, in the same proportion to his total slaughter of such livestock in each accounting period as the slaughtering which he performed for you in the comparable accounting period in 1950 bore to his total slaughter of such livestock in that comparable period, or up to the amount of your slaughter base for such livestock for that accounting period, whichever is less.

(2) If the business of a Class 1 or Class 2 slaughterer is transferred to another person for continued operations, the person who acquired the slaughtering establishment (transferee) is required to continue slaughtering livestock for you just as if the transferee were the original slaughterer.

(c) *Transfer to another establishment.* (1) If a Class 1 or Class 2 slaughterer with respect to whom you are properly registered, or a transferee of such slaughterer, refuses or is unable to continue to slaughter for you, or has no objection to your transferring to another establishment, you may apply to the Office of Price Stabilization where you are registered for permission to have such livestock slaughtered by another Class 1 or Class 2 slaughterer. The application must be made in writing and must include:

(i) The name and address of the Class 1 or Class 2 slaughterer who formerly slaughtered for you.

(ii) A signed statement, where obtainable, from such Class 1 or Class 2 slaughterer that he has no objection to the transfer, or stating the reasons why he cannot continue to slaughter for you.

(iii) If you cannot obtain the statement described in (ii), then you must submit your own statement of the reasons why such slaughterer will no longer slaughter for you.

(iv) The name and address of the Class 1 or Class 2 slaughterer whom you wish to perform the slaughtering for you.

(v) A signed statement from the Class 1 or Class 2 slaughterer referred to in (iv) that he is willing to slaughter for you.

(vi) A copy of your Form DO 1–4 or Do 1–5 covering the slaughter for which transfer is requested.

(2) If the Director of Price Stabilization finds that the old slaughterer refuses or is unable to continue to slaughter that species of livestock for you, or that he has no objection to the requested transfer, and that the new slaughterer is willing and able to slaughter such livestock for you he may transfer your registration for that species from the old slaughterer to the new Class 1 or Class 2 slaughterer named in the application. However, if the application is granted you must continue to serve the same general class of customers in the same areas that you served previously. Furthermore, the new Class 1 or Class 2 slaughterer and you shall be subject, with respect to that slaughter, to all the provisions of this revised regulation just as if the Class 1 or Class 2 slaughterer had formerly slaughtered such livestock for you.

SEC. 10. *Class 3 slaughterers*—(a) *Conditions of slaughter.* (1) If you are a Class 3 slaughterer, as defined in section 5 (e), you may slaughter livestock yourself or have livestock slaughtered for you by a Class 1 or Class 2 slaughterer without registering with the Office of Price Stabilization provided that:

(i) You do not transfer meat to any person who receives meat for resale unless you transferred meat to such person in 1950;

(ii) You do not during any six-month period beginning September 1 and March 1 of each year transfer more than the equivalent amount of meat you transferred during the same period commencing September 1, 1949 and March 1, 1950, respectively;

(iii) You do not in any event transfer more than 3,000 pounds of meat in any such six-month period.

(2) The transfer of meat includes the selling, giving, exchanging, lending, delivering, or consigning of meat and also the placing or storing of meat in ware-

houses or locker plants. However, if the meat is derived from livestock slaughtered pursuant to all of the requirements of section 11 (the section covering the slaughter of livestock for home consumption) the placing or storing of such meat in warehouses or locker plants for your ultimate consumption pursuant to that section shall not be considered a transfer of meat within the meaning of that term as used in this section.

(b) *Statements by Class 3 slaughterers.* No Class 1 or Class 2 slaughterer may slaughter livestock for you under this section unless you furnish to him a signed statement setting forth (1) the address of your farm; (2) that you are a resident operator of a farm on which you reside at least 6 months a year; (3) that during the calendar year 1950 you transferred no more than 6,000 pounds of meat resulting from your slaughter of livestock or the slaughter of livestock for you; (4) a description of the livestock by species, number of head, and live weight, that you wish to have slaughtered; and (5) that the transfer of all or any part of the meat will not make your total transfer of meat in the current six-month period, commencing with September 1 or March 1, exceed either 3,000 pounds or the amount you transferred during the corresponding six-month period of 1949–50, whichever amount is lower. Furthermore, if any of the meat is to be transferred to persons acquiring it for resale, you must set forth in the statement the names and addresses of such persons and that you transferred meat to such persons in 1950.

(c) *Slaughter at municipal or other public slaughtering establishments.* If you are a Class 3 slaughterer, you may not perform, and no manager or owner of a municipal or other public slaughtering establishment may permit you to perform, your own slaughtering in such establishment unless you furnish to such manager or owner a statement identical with the statement required under paragraph (b) of this section. Both you and the manager or owner of the slaughtering establishment must keep a copy of the statement furnished pursuant to this paragraph.

(d) *Tagging requirements.* A tag must be attached to each leg of every carcass transferred by you and to each wholesale cut transferred by you as a wholesale cut and meat may not be transferred unless it has been so tagged. Each tag must have on it the words "Class 3 slaughterer", and must also show your name and address.

SEC. 11. *Slaughter of livestock for home consumption*—(a) *Situations in which you may slaughter livestock for home consumption.* There are two situations in which, regardless of whether or not you are registered under any section of this revised regulation, you may slaughter livestock or have it slaughtered for consumption in your own household or on a farm which you operate: (1) If you operate a farm at which you reside for more than 6 months a year; or (2) if you actually superintended the raising of the livestock and it was raised on your own premises for at least 90 days immediately before slaughter, or if the livestock is less than 90 days old at the time of slaughter, then it must have been raised on your own premises from the time of its birth.

(b) *Statements.* No Class 1 or Class 2 slaughterer may slaughter livestock for you under this section unless you furnish to him a signed statement containing: (1) A description of the livestock by species, number of head, and live weight; (2) a statement that you have read section 11 (a) and that, under the provisions of section 11 (a), you are eligible to slaughter the particular livestock or to have it slaughtered for you.

(c) *Slaughter at municipal or other public slaughtering establishments.* If you wish to perform your own slaughtering, pursuant to this section, at a municipal or other public slaughtering establishment you must furnish to the manager or owner of such establishment a statement identical with the statement required under paragraph (b) of this section. Both you and the manager or owner of the slaughtering establishment must keep a copy of the statement furnished pursuant to this paragraph.

SEC. 12. *Slaughter of "Club" and "Show" livestock.* (a) This section applies to you if you are not otherwise permitted to slaughter livestock under this revised regulation. This section applies to you on a company-wide basis and may not be applied on the basis of separate establishments.

(b) If you are not otherwise permitted to slaughter livestock or have livestock slaughtered for you under this revised regulation and you acquire either or both:

(1) Livestock from members of 4–H clubs, Future Farmers of America, or other recognized youth organization, at sales made at the place and time of a fair, show or exhibition ("Club" livestock); or

(2) Livestock which has been exhibited in competition at a fair, show or exhibition and which has been purchased by you in the course of a regularly scheduled public sale held at the place and time of such fair, show or exhibition ("Show" livestock), you may, if such sales were previously approved by the OPS District Office for the area where the fair, show or exhibition is held, have such livestock slaughtered for you by a registered Class 1 or Class 2 slaughterer. However, you may not in any one calendar year have slaughtered for you any more than 10 head of any one species of "Show" livestock, or, if you purchase such livestock in a carload lot, then you may not in any one calendar year have slaughtered for you any "Show" livestock, regardless of species, other than that which is contained in such carload lot. "Calendar year" when used in this section means a period of twelve (12) months between January 1 and December 31, inclusive.

(c) Prior to a fair, show or exhibition the president, secretary, or manager of the organization promoting such fair, show or exhibition must apply to the OPS District Office for the area where the fair, show or exhibition is to be held, for permission to issue certificates to have "Club" or "Show" livestock, sold at the fair, show or exhibition, slaughtered for the prospective purchasers.

The District Office will authorize the president, secretary or manager of the organization promoting the fair, show or exhibition to issue certificates permitting non-slaughtering purchasers to have the "Club" livestock they purchase at the fair, show or exhibition, slaughtered for them, whenever it finds that the sale at the fair, show or exhibition is to be held under the auspices of the 4-H Clubs, Future Farmers of America, or other recognized youth organizations.

The District Office will authorize the president, secretary, or manager of the organization promoting the fair, show or exhibition to issue certificates permitting non-slaughtering purchasers to have the "Show" livestock they purchase at the fair, show or exhibition, slaughtered for them when it finds that all of the following conditions are met:

(1) Such fair, show or exhibition is recognized generally as being of county, state, regional (embracing more than one state), national, or international character;

(2) The organization promoting such fair, show or exhibition has been in existence prior to 1951; or is an organization that is the legal successor to an organization which was in existence prior to 1951, such succession having occurred prior to April 1, 1951.

(3) The fair, show or exhibition has been promoted and held as a regular event prior to 1951 by an organization meeting the requirements of subparagraph (2) of this paragraph.

(4) The traditional events occurring at such fair, show or exhibition until 1951 included a regularly scheduled public sale for slaughter of some or all of the livestock exhibited.

(5) Each head or lot of livestock so purchased by any purchaser at such fair, show or exhibition in the course of such regularly scheduled public sale is certified in writing to such purchaser by the president, secretary or manager of the organization promoting such event:

(i) To have been entered and officially accepted for exhibition purposes at such fair, show or exhibition, and

(ii) To have been exhibited in competition at such fair, show or exhibition.

(6) The livestock in question have actually participated in competitive exhibition in such a fair, show or exhibition. For the purposes of this paragraph, livestock which, as the result of the official action of any representative of the organization promoting such a fair, show or exhibition, have been rejected for, or barred from competitive exhibition prior to the holding of the event in which competition winners are selected, shall not be deemed to have been exhibited at such fair, show or exhibition.

(d) At the time of the opening of the fair, show or exhibition, the manager must announce that sales at the fair, show or exhibition of "Club" or "Show" livestock, or both, as the case may be, have been approved by the OPS and that the manager is permitted to issue slaughter certificates for "Club" or "Show" livestock or both, as the case may be. The manager shall then issue such slaughter certificates to the live-

stock purchasers who are not permitted to slaughter livestock or have livestock slaughtered for them under the regulations. The slaughter certificates issued in triplicate must contain the following:

(1) The name of the organization conducting the fair, show or exhibition, the place at which it was held, and the dates it was held.

(2) The District Office of OPS which approved the fair, show or exhibition, and the date of such approval.

(3) The name and address of the person purchasing the livestock.

(4) The number of each species of livestock purchased and the live weight of each species of livestock.

(5) A statement that:

(i) In the case of "Club" livestock, the animal or animals listed on the certificates were bona fide project animals fed in an organized club (naming the club) under the direction of the United States Department of Agriculture Extension Service or a recognized State agency; or

(ii) In the case of "Show" livestock, that each of the animals listed on the certificate was entered and officially accepted for exhibition purposes at the fair, show or exhibition and in fact was exhibited in competition at the fair, show or exhibition.

(6) The signature of the manager of the fair, show, or exhibition.

(7) A signed statement by the purchaser that he is not permitted to slaughter livestock or have livestock slaughtered for him under Distribution Regulation 1, Revision 1 and, if the livestock covered by the certificate is "Show" livestock, that the slaughterers of such livestock will neither cause the total slaughter for him of any one species of "Show" livestock to exceed 10 head in that calendar year nor contribute to such excess, or, if the "Show" livestock covered by the certificate is in a carload lot, that no other "Show" livestock of any species has been or will be slaughtered for him during that calendar year.

(e) The original and one copy must be given to the purchaser of livestock. The third copy must be immediately forwarded by the manager to the District Office which approved the fair, show, or exhibition. The purchaser of livestock must give the original and duplicate to the Class 1 or Class 2 slaughterer who will slaughter the livestock.

(f) Any Class 1 or Class 2 slaughterer who receives a valid original and duplicate slaughter certificate may slaughter the livestock covered by such certificate. The slaughterer must keep the duplicate certificate and attach the original to his report on OPS Public Form No. 107 or OPS Revised Form DO 1–6, respectively, for the period in which the slaughter took place. If a Class 2 slaughterer is not required to file a report on OPS Revised Form DO 1–6, he must send the original certificate to the District Office for the area where his establishment is located.

SEC. 13. *Sale or transfer of Class 1 or Class 2 slaughtering establishment.* (a) If you are a Class 1 or Class 2 slaughterer, you will be permitted to transfer your registration only if the transfer of registration is accompanied by the sale or transfer, to the transferee of such registration, of a slaughtering establishment in which you have a bona-fide substantial investment which can be realized upon substantially only in connection with a slaughter registration.

(b) (1) If you wish to sell or transfer your slaughtering or other establishment to any person for continued operation, you and the transferee must apply to the Office of Price Stabilization where you are registered for a transfer of your registration for that establishment. The application must be in writing, must be mailed or delivered at least 15 days before the sale or transfer of the establishment, and must show:

(i) The name and address of the establishment which is being sold or transferred in connection with the proposed transfer of registration.

(ii) The names and addresses of the persons wishing to sell or transfer the establishment and the persons wishing to acquire it; in the case of a corporation, the names and addresses of each person who owns 10 percent or more of the stock of the corporation should be listed.

(iii) The nature and size of the interest which is to be transferred—for example, 20 percent partnership interest, 15 percent stock interest, 10 percent loan.

(iv) A description of the plant, equipment, and facilities being transferred, and a statement showing separately the amount of the investment in such plant, equipment and facilities made prior to the effective date of this revised regulation, and the amount of such investment made subsequent to the effective date of this revised regulation.

(v) A complete showing that any investments in plant, equipment or facilities made subsequent to the effective date of this revised regulation were made in good faith and not in connection with any contemplated transfer of the establishment or business.

(vi) That the transferee will continue to operate the establishment in the same manner, and will maintain the same pattern of distribution of meat from the slaughter of livestock as the transferor; and

(vii) That operation of the establishment by the transferee will not disrupt normal patterns of distribution of livestock or meat or otherwise violate the policy of this revised regulation.

(2) It must also be established to the satisfaction of the Director of Price Stabilization that the transferee will not slaughter livestock in the establishment until he has conformed to the requirements for minimum sanitary facilities and equipment specified in section 15 (a) (4) and that he will thereafter continue to conform to such requirements. The applicant must also furnish any additional information requested by the Office of Price Stabilization.

(c) If the transfer is an involuntary transfer or a transfer by operation of law, the transferor need not join in the application to the Office of Price Stabilization pursuant to the preceding paragraph. However, in such case, the transferee must furnish, in addition to the information required by paragraph (b) of this section, a copy of the court order or other legal document, if any, effecting such transfer.

(d) (1) The Director of Price Stabilization will assign the registration of the transferor to the transferee for that establishment and will cancel the registration of the transferor, if he finds that:

(i) The transferor has made a bona fide substantial investment in the establishment to be transferred and that investment can be realized upon substantially only in connection with a slaughter registration;

(ii) The transferee will not slaughter livestock in the establishment until he has conformed to the requirements for minimum sanitary facilities and equipment specified in section 15 (a) (4) and that he will thereafter continue to conform to such requirements;

(iii) The establishment will continue to be operated in the same manner as before the transfer;

(iv) The transferee will maintain the same pattern of distribution of meat as the transferor; and

(v) The proposed transfer will not disrupt normal patterns of distribution of livestock or meat or otherwise violate the policy of this revised regulation.

The Director may impose such other conditions as he may deem necessary to further the policy of this revised regulation.

(2) In all cases which do not meet the requirements of subparagraph (1) of this paragraph the application will be denied. The transferee may not in any event slaughter livestock in the establishment being transferred until such time as the Director may approve the transfer.

(e) No such transfer and assignment of registration may be made while your slaughtering establishment is under suspension by a Federal, State, County, Municipal, or City government or agency.

(f) If you are a Class 1 or Class 2 slaughterer and you wish to move your slaughtering or other establishment to another place, the moving is to be treated as a transfer to a different person under this section. For this purpose, the place from which the establishment is to be moved is considered the transferor and the place to which it is to be moved is considered the transferee.

(g) For the purpose of this revised regulation the "sale or transfer of an establishment" shall include but is not limited to:

(1) a sale or transfer, directly or indirectly, of 10 percent or more of the stock of a corporation owning an establishment or the sale or transfer of 10 percent or more of the ownership of an establishment; or

(2) the accepting, directly or indirectly, from persons other than financial institutions, of loans or advances in connection with the slaughtering business or establishment in excess of 10 percent of the net worth of the person owning such business or establishment at the time that such loan or advance is accepted.

SEC. 14. *Transfer of registration as a Class 1A or Class 2A slaughterer.* (a) If you are a Class 1A or Class 2A slaughterer, you will be permitted to transfer your registration only if the transfer of registration is accompanied by the sale or

transfer, to the transferee of such registration, of an establishment in which you sold meat derived from livestock which you had slaughtered for you as a Class 1A or Class 2A slaughterer and which represents a substantial bona-fide investment which has historically been realized upon in connection with a slaughter registration.

(b) (1) If you wish to transfer such establishment, together with a continued right to have livestock slaughtered for the owner of such establishment, you and the transferee must apply to the office of the Office of Price Stabilization where you are registered. The application must be in writing, must be mailed or delivered at least 15 days before the sale or transfer, and must show the same information as is required under section 13 (b) (1).

(2) The applicant must also show that the establishment being transferred is the one in which the transferor sold the meat derived from the livestock which he had slaughtered for him as a Class 1A or Class 2A slaughterer. He must also furnish any additional information requested by the Office of Price Stabilization.

(c) If the transfer is an involuntary transfer or a transfer by operation of law, the transferor need not join in the application to the Office of Price Stabilization pursuant to the preceding paragraph (b) of this section. However, in such case, the transferee must furnish, in addition to the information required by paragraph (b), a copy of the court order or other legal document, if any, effecting such transfer.

(d) (1) The Director of Price Stabilization will assign the registration of the transferor to the transferee for that establishment and will cancel the registration of the transferor, if he finds that:

(i) The transferor has made a bona-fide substantial investment in the establishment and that investment has historically been realized upon in connection with a slaughter registration;

(ii) The establishment being transferred is the one in which the transferor sold the meat derived from the livestock which he had slaughtered for him as a Class 1A or Class 2A slaughterer;

(iii) The establishment will continue to be operated in the same manner as before the transfer;

(iv) The transferee will maintain the same pattern of distribution of meat as the transferor; and

(v) The proposed transfer will not disrupt normal patterns of distribution of livestock or meat or otherwise violate the policy of this revised regulation.

The Director may impose such other conditions as he may deem necessary to further the policy of this revised regulation.

(2) In all cases which do not meet the requirements of section 14 (d) (1) the application shall be denied. The transferee may not in any event have livestock slaughtered pursuant to the registration which is sought to be transferred until such time as the Director may approve the transfer.

(e) See section 13 (g) for the definition of "sale or transfer of an establishment".

SEC. 15. *New registrations for Class 1 or Class 2 slaughterers.* (a) If you want to slaughter a species of livestock which you are not already registered to slaughter, or if you want to open a new Class 1 or Class 2 slaughtering establishment, or if you operate a Class 1 or Class 2 slaughtering establishment but you are not registered to slaughter livestock for your own account and you wish to be registered to do so, you must apply to the Office of Price Stabilization. Registration as to a new species of livestock, or registration of a new slaughtering establishment will be permitted, or permission to slaughter livestock for your own account will be granted, on such conditions as the Director of Price Stabilization may deem necessary to further the policy of this revised regulation, if you establish to the satisfaction of the Director of Price Stabilization that:

(1) The proposed operation is essential to meet the civilian needs in the area served or to be served by the establishment;

(2) The products to be produced cannot be obtained from any other source;

(3) The proposed operation will promote the National Defense by facilitating the production and orderly distribution of meat and meat products; and

(4) That the establishment will have, at the time slaughtering is commenced, and will continue to have, at least the following minimum sanitary facilities and equipment:

(i) A structure that is reasonably fly and rodent proof with ample light and ventilation, which has concrete or comparably sanitary floors with adequate drainage system, is provided with clean potable water and which, together with all equipment, is in a clean and orderly condition; such structure must be a reasonable distance from stables, barnyard, hog lot, refuse heap, privy, or other source of fly breeding or contamination;

(ii) Equipment in good order for the proper skinning and dressing of animals, and the rendering or storage of fat and tallow, and storage or other equipment for retaining or preserving edible or principal inedible by-products to insure against spoilage.

(b) If the application is made by a person who is or wishes to be a Class 1 slaughterer, it must be made in writing to the Office of Price Stabilization, Washington 25, D. C. If the application is made by a person who is or wishes to be a Class 2 slaughterer, it must be made in writing to the District Office of the Office of Price Stabilization for the area where the applicant's establishment is or will be located. The application must contain all the information relied upon to support the requested action. The applicant must also give any additional information requested by the Office of Price Stabilization.

SEC. 16. *New registrations for Class 1A or Class 2A slaughterers.* (a) If you want to have slaughtered for you as a Class 1A or Class 2A slaughterer a species of livestock which you are not registered to have slaughtered for you, or if you want to have livestock slaughtered for you by an additional Class 1 or Class 2 slaughterer, you must apply to the Office of Price Stabilization. Registration to have that species slaughtered at a given establishment will be permitted, on such conditions as the Director of Price Stabilization may deem necessary to further the policy of this revised regulation, if you establish to the satisfaction of the Director of Price Stabilization that all of the following conditions are met:

(1) Your operation as a Class 1A or Class 2A slaughterer is essential to meet civilian needs in the area which you service or propose to service;

(2) You cannot procure dressed meats, for resale, in any other manner;

(3) Your operation as a Class 1A or Class 2A slaughterer will promote the National Defense by facilitating the production and orderly distribution of meat and meat products; and

(4) The establishment which will perform the slaughtering for you is registered under this revised regulation.

(b) If the application is made by a person who is or wishes to be a Class 1A slaughterer, it must be made in writing to the Office of Price Stabilization, Washington 25, D. C. If the application is made by a person who is or wishes to be a Class 2A slaughterer, it must be made in writing to the District Office of the Office of Price Stabilization for the area where the applicant's establishment or place of business is or will be located. The application must contain all the information relied upon to support the requested action. The applicant must also give any additional information requested by the Office of Price Stabilization.

SEC. 17. *Marking, reports, records, and inspections*—(a) *Marking requirement.* If you are a Class 1 or Class 2 slaughterer, you are required to stamp or mark your registration number on each carcass so that it appears on every accessible wholesale cut. You may not sell or transfer a carcass or a wholesale cut unless it has been so marked. All carcasses and accessible wholesale cuts of meat derived from livestock which you slaughter on behalf of a Class 1A or Class 2A slaughterer must bear a stamp, at each place at which your registration number appears, showing the registration number of that Class 1A or Class 2A slaughterer.

(b) *Reports.* (1) If you are a Class 1 slaughterer you must, within five "work days" after the end of each accounting period, mail a report on OPS Public Form No. 107 to the Office of Price Stabilization, Washington 25, D. C. The report must contain all the information required by that form. You may obtain copies of that form from any Regional or District Office of the Office of Price Stabilization. The accounting periods for which you mail reports pursuant to this subsection must conform to the accounting periods reported by you on OPS Public Form No. 34.

(2) If you are a Class 2 slaughterer and either:

(i) Your slaughter bases for all species combined on an annual basis are

100,000 pounds live weight or over (as shown on your Form DO 1–2), or

(ii) Your slaughter of any one species of livestock in any accounting period exceeds 25,000 pounds live weight,

You must mail a report to the OPS District Office where you are registered. If you come within the provisions of subdivision (i) you must mail your report within five work days after the end of each accounting period. If you do not come within the provisions of subdivision (i) and you do come within the provisions of subdivision (ii), you must mail your report within five work days after the end of the accounting period in which your slaughter of any one species of livestock first exceeds 25,000 pounds live weight and within five work days of the end of each succeeding accounting period regardless of the amount of your slaughter during such succeeding accounting period. The report made pursuant to this section must be made in duplicate on Revised Form DO 1–6 and must contain all the information required by that form. You must report on the basis of your accounting periods as shown on your Form DO 1–2.

(3) If you are a Class 1A slaughterer and the slaughter for you of any species of livestock by a given Class 1 slaughterer in any one accounting period exceeds 25,000 pounds live weight, you must within five work days after the end of that and each succeeding accounting period, regardless of the volume of slaughter for you by that slaughterer in such succeeding accounting period, mail a report with respect to that slaughter to the Office of Price Stabilization in Washington, D. C. This report must be made on OPS Public Form No. 107 and must contain all the information required by that form. In addition, within five work days after the end of the first accounting period in which the slaughter for you of any one species of livestock by a given Class 1 slaughterer exceeds 25,000 pounds live weight, you must mail to the Office of Price Stabilization in Washington, D. C., a statement listing your slaughter bases for slaughter by that Class 1 slaughterer for each species of livestock by live weight and by accounting periods. The accounting periods for which reports and statements must be filed pursuant to this section must conform to the accounting periods of the Class 1 slaughterer with respect to whose slaughter the report or statement is being filed. The Class 1 slaughterer must, at your request, inform you as to what are his accounting periods.

(4) If you are a Class 2A slaughterer and the slaughter for you of any one species of livestock by a given Class 2 slaughterer in any one accounting period exceeds 25,000 pounds live weight, you must within five work days after the end of that and each succeeding accounting period, regardless of the volume of slaughter for you by that slaughterer in such succeeding accounting period, mail a report with respect to that slaughter to the District Office for the area where the place of business of that Class 2 slaughterer is located. This report must be made on Revised Form DO 1–6 and must contain all the information required by that form. In addition, within five work days after the end of the first accounting period in which the slaughter for you of any one species of livestock by a Class 2 slaughterer exceeds 25,000 pounds live weight, you must, unless you have already done so pursuant to section 9 (a) (2), mail to the District Office where the place of business of that Class 2 slaughterer is located a copy of your Form DO 1–5 listing your slaughter bases for slaughter by that Class 2 slaughterer. The accounting period for which reports and forms must be filed pursuant to this section must conform to the accounting periods of the Class 2 slaughterer with respect to whose slaughter the report or form is being filed. The Class 2 slaughterer must, at your request, inform you as to what are his accounting periods.

(c) *General records.* In addition to other records or documents required to be kept by this regulation each Class 1, Class 2, Class 1A and Class 2A slaughterer must keep a record for each establishment, showing:

(1) The number of head and live weight of each species of livestock which he slaughtered or had slaughtered for him during each accounting period.

(2) The name and address of each person for whom he slaughtered or who slaughtered for him each species of livestock and the number and live weight of each such species of livestock slaughtered by or for him during each accounting period, stated separately for each person for whom he slaughters or who slaughtered for him.

(3) The number of pounds of meat resulting from his slaughter or the slaughter for him of livestock, stated separately for each species, transferred during each accounting period.

(4) The number of cattle hides, kips and calfskins and sheep and lamb pelts sold or transferred by the slaughterer during each accounting period. Also the names and addresses of the persons to whom they were sold or transferred and the number of each kind transferred to each person.

In addition, each Class 1 and Class 2 slaughterer must keep a record for each establishment, showing the number of pounds of meat resulting from his slaughter of livestock for other persons, stated separately for each species, and each person, transferred during each accounting period.

(d) *Registration records.* Each Class 1, Class 2, Class 1A, and Class 2A slaughterer must keep a copy of his registration under this revised regulation and the records upon which his registration was based.

(e) *Daily records of custom slaughter.* Each Class 1, Class 2, Class 1A, and Class 2A slaughterer must keep a record showing the name and address of each person for whom he slaughtered or who slaughtered for him each species of livestock; the dates on which he slaughtered for each person or on which each person slaughtered for him; and the number and live weight of each such species of livestock which he slaughtered for each person on each date or which each person slaughtered for him on each date. He must also keep the statements given to him as required by section 10 (b) and section 11 (b).

(f) *Preservation of records.* Every person subject to this order must keep all records required under the old Distribution Regulation or under this revised regulation for as long as the Defense Production Act of 1950, as amended, remains in effect and for two years thereafter. All records required to be preserved under this section may, after the expiration of 30 days after the date of the transaction to which they relate, be transferred to and preserved thereafter on microfilm.

(g) *Inspection of records.* All records kept by all persons under this revised regulation may be inspected by the Office of Price Stabilization through any authorized representative. The inspection may be made at a person's place of business during regular business hours. Every person required to keep records under this revised regulation must keep them available for such inspection.

(h) *Inspection of slaughtering facilities and place of business.* The Office of Price Stabilization, through any authorized representative, may, at any reasonable time, inspect any place where livestock is, has been, or is proposed to be slaughtered and any place at which a Class 1, Class 2, Class 1A, Class 2A or Class 3 slaughterer is located.

(i) *Disclosure of information or documents.* Information and documents obtained from any person under this revised regulation will not be disclosed, whether in response to a subpena or in any other way, except to that person, unless the Director of the Office of Price Stabilization (or a representative of the Office of Price Stabilization designated by him) finds that the requested disclosure is not contrary to law and consents to it.

(j) When used in this section:

"Slaughter base" means the pounds live weight of slaughter of a given species of livestock which a slaughterer was assigned by the Office of Price Stabilization (as shown on OPS Public Form No. 34 or OPS Form DO 1–2) or of slaughter for him which was assigned by the Office of Price Stabilization (as derived from OPS Form DO 1–4 or DO 1–5) for each accounting period during 1950.

"Work day" means any day except Saturday, Sunday or a legal holiday.

SEC. 18. *Suppliers must sell meats to certain institutional users.* (a) Any operator of a prison, jail, insane asylum, home for delinquents, or other institution of involuntary confinement, or a public or private orphanage, or a hospital or other establishment principally engaged in the care and treatment of the sick is an institutional user. An institutional user must, for each month that it wishes to receive meat pursuant to this section, give written notice, personally or by registered mail, to each person from whom meat was acquired during the calendar year 1950 (or if that person transferred his establishment, to any successor currently operating the establishment) containing all of the following information:

(1) The quantities, types, cuts, kinds and qualities of meat acquired from the supplier during each month of the calendar year 1950;

(2) The estimated number of persons to be fed during the month for which this notice is given;

(3) The number of persons fed during the corresponding month in 1950;

(The information in (1) may be omitted from any subsequent notice pursuant to (a) to the same supplier or successor to whom a previous notice, containing that information, has been given pursuant to (a)).

The notice specified above must be given seven days prior to the first day of the month in which deliveries are sought and must be accompanied by a purchase order showing the desired delivery dates.

(b) (1) Each supplier or successor to whom a notice is given pursuant to (a) must sell or transfer to that institutional user, upon such user's request, and each institutional user must accept, within seven days after each of the delivery dates specified in the accompanying purchase order, the quantity of meat specified for delivery on each of such dates up to a total in a given month of the amount determined under (c) for that month, to the extent that such supplier or successor has meat available for sale or transfer regardless of any other contract, agreement, commitment or obligation (except any meat which he is required to set aside under this section for any other institutional user). Such sale or transfer of meat must be of the same type and kind and the same, comparable or reasonably substitutable cuts and qualities as the institutional user acquired from that supplier in 1950. However, if carcasses were furnished in 1950, carcasses must be furnished during the comparable period of the current year.

(2) If the quantities, types, kinds and qualities of the cut, or reasonably substitutable cuts and qualities of meat required to be delivered to an institutional user under the preceding paragraph (b) (1) is not delivered within the time required in that paragraph, the supplier shall not transfer any meat to persons other than institutional users until either;

(i) The required quantities of such meat are delivered to that institutional user by that supplier, or

(ii) The required quantities of such meat are offered by that supplier to that institutional user and subsequently rejected by the institutional user, or

(iii) The 15th day of the next succeeding month has occurred.

(3) A supplier or successor need not sell or transfer under this section any meat to an institutional user unless the user is willing to acquire such meat at ceiling prices established by the Office of Price Stabilization.

NOTE: Examples of comparable and reasonable substitutable cuts of meat are: (1) Steaks, roasts, or chops or any wholesale cuts from which they are obtained; (2) Ground meat or stew meat and the wholesale cuts from which they are obtained; (3) Smoked meats, such as bacon, ham, or picnics; (4) Dry salt meats, such as bellies, jowls, plates or fatback; (5) Processed meat products, such as canned meats or sausage; (6) Offal, such as livers, hearts, or kidneys; and (7) Miscellaneous items, such as tails, heads, snouts or ears. Substitutions may be made of one item for another within any of these numbered categories but you may not substitute an item in one numbered category to replace an item in another numbered category, nor may you substitute any other cut for carcasses.

(c) The quantity of meat of a given type, cut, kind and quality which the supplier or successor is required under (b) to sell or transfer in any one month to an institutional user giving such notice shall be determined in the following way:

(1) Divide the amount of such meat sold or transferred to the institutional user by the supplier during the corresponding month in 1950 by the number of persons fed during that month.

(2) Multiply the result in (1) by the estimated number of persons to be fed in the month for which the notice in (a) is given.

(3) The result in (2), or the amount requested by the institutional user, whichever is less, is the quantity of such meat which must be sold or transferred to the institutional user during the month specified in the notice.

Example: The supplier receives a notice from the institutional user as follows:

To (Supplier)
This institution _____(name_____ (address) _____ bought from your company during March 1950, 1200 pounds of "Choice" grade of beef carcasses. The number of persons to be fed during March 1952, is 1200, compared with 1000 in March 1950. It is requested that you deliver a total of 1300 pounds of "Choice" grade beef carcasses in March 1952 in the amounts and on the dates specified in the accompanying purchase order.
From (Institution)

To determine the maximum quantity of "Choice" grade beef carcasses which the supplier is required to deliver in March 1952 to this institutional user:

1,200—Pounds sold by supplier to institution in March 1950.
÷1,000—Number of persons fed during March 1950.
=1.2—Average number of pounds per person, March 1950.
×1,200—Number of persons to be fed during March 1952.
=1,440—Pounds of choice grade beef carcases which must be sold to the institutional user during March, 1952, by such supplier, unless the quantity requested by the institutional user is less.

However, as only 1,300 pounds were requested by the institutional user, the supplier's obligation for March 1952 with respect to this institutional user may be met by delivering the 1,300 pounds requested.

(d) (1) If a person from whom an institutional user acquired meat during 1950 discontinues his business and no one succeeds to his business or establishment, the institutional user shall notify the Office of Price Stabilization in Washington, D. C., of that fact. The institutional user shall include with such notice a statement in duplicate containing the following information:

(i) The quantities, types, cuts, kinds and qualities of meat acquired from that person during each month of the calendar year 1950;

(ii) The number of persons fed during each month in 1950.

(2) The Director of Price Stabilization after receiving such notice and statement shall assign to another supplier or suppliers all or a part of the 1950 "purchase bases" of the institutional user. The institutional user and each supplier affected shall be notified of the quantities, qualities and types, cuts and kinds of meat that have been assigned as 1950 purchase bases to each such supplier. Thereafter, such supplier or suppliers shall be treated for the purposes of this section as the person or persons from whom meat was acquired in 1950 by the institutional user in the quantities, qualities, types, kinds and cuts specified in the notice received from the Office of Price Stabilization.

(e) (1) If an institutional user was or is established subsequent to January 1, 1950 and therefore did not purchase meat from any source during all or part of 1950, the institutional user shall notify the Office of Price Stabilization in Washington, D. C. of this fact. The institutional user shall include with such notice a statement in duplicate containing an estimate of the quantities, types, cuts and kinds and qualities of meat that will be needed by the institutional user during each of the months of the current year corresponding to those months in which no purchases were made in 1950 and the basis upon which such estimate was made. If any deliveries have been made by a supplier to that institutional user the institution must list:

(i) The months in which such deliveries were made;

(ii) The quantities, types, cuts, kinds and qualities of meat delivered in each such month; and

(iii) The number of persons fed during each such month.

(2) The Director of Price Stabilization, after receiving such notice and statement, shall assign 1950 purchase bases to the institutional user for the months in question. The Director of Price Stabilization shall assign to one or more suppliers all or a part of such 1950 purchase bases of the institutional user. The institutional user and the supplier or suppliers affected shall be notified of the quantities, types, cuts, kinds and qualities of meat that have been assigned as 1950 purchase bases to each such supplier. Thereafter such supplier or suppliers shall be treated for the purposes of this section as the person or persons from whom meat was acquired in 1950 by the institutional user in the quantities, qualities, types, kinds and cuts specified in the notice received from the Office of Price Stabilization.

(f) Each notice given by the institutional user pursuant to (a) shall be deemed a certification to the Office of Price Stabilization as to the information contained in the notice. Each person to whom such a notice is given must keep such notice at his establishment.

(g) "Purchase base" when used in this section means the number of pounds of a particular type, cut, kind and quality of meat per person delivered by a particular supplier to a particular institutional user in a given month in 1950 by a supplier to an institutional user or assigned by the Office of Price Stabilization to a supplier for such institutional user for that month.

SEC. 19. *Adjustments or other relief.* (a) If you are affected by this revised regulation and you find that you need an adjustment or other relief under this revised regulation and such adjustment or relief is not available to you under any other section of this revised regulation, you may make a timely application in writing to the Office of Price Stabilization for such adjustment or relief. If you are, or desire an adjustment as, a Class 1 or Class 1A slaughterer, you apply to the National Office. If you are, or desire an adjustment as, a Class 2 or Class 2A slaughterer, you apply to the District Office for the area where your establishment or place of business is or will be located. The application must show what adjustment or relief you are requesting and all the facts showing your need for the adjustment or relief. You must give any additional information requested by the Office of Price Stabilization.

(b) Among the situations in which an adjustment or relief may be granted if a timely application is made are the following:

(1) Relief may be granted in the form of registration for slaughter of a given species of livestock where you have, prior to February 9, 1951, made a substantial investment in slaughtering facilities not used by you during the applicable base period due to their being in the process of completion or to compelling circumstances beyond your control and that investment could at that date and can now be recovered only in connection with a slaughter registration. However, a decision to cease operations made solely for business reasons shall not be considered a compelling circumstance beyond the control of the applicant.

(2) Relief in the form of a temporary registration for the slaughter of a given species of livestock for a limited period of time may be granted where emergency local conditions give rise to a situation which for the period of such emergency meets the criteria set forth in section 15 or 16 for new registrations.

(3) Relief may be granted in the form of a Class 1A or Class 2A registration to a Class 1 or Class 2 slaughterer, respectively, who wishes to give up his Class 1 or Class 2 registration in order to have livestock slaughtered in better facilities or under more sanitary conditions or because he is unable to secure the skilled help necessary to continue his Class 1 or Class 2 operation.

(4) Relief may be granted in the form of permission to a Class 1A or Class 2A slaughterer to transfer his operation from one Class 1 or Class 2 slaughterer to another who is not registered to slaughter that species of livestock where it is shown that the Class 1A or Class 2A slaughterer would otherwise be subjected to a substantial hardship. In such case the Class 1 or Class 2 slaughterer to whom the operation is transferred will be registered to slaughter the particular species for that Class 1A or Class 2A slaughterer only.

(5) Relief may be granted in the form of permission to slaughter a specified number of head of specifically described livestock in order to prevent the loss of such livestock and the meat resulting therefrom.

(c) If the Director of Price Stabilization finds that you have shown a need for an adjustment, or other relief, and that granting such relief will not contravene the policy of this revised regulation, as set forth in section 3, he will take the necessary steps to grant the adjustment or other relief in whole or in part. The Director may impose such conditions to granting the relief or adjustment as he may deem necessary to further the policy of this revised regulation. In all other cases your application will be denied.

SEC. 20. *Suspension and revocation of registration.* (a) If your slaughtering establishment is not in operation because of a suspension or other order of a Federal, State, County, City or Municipal government or Agency, your registration under this revised regulation shall be automatically suspended until the suspension or other order of the Federal, State, County, City or Municipal government or agency expires, is revoked or is cancelled.

(b) If you violate any provision of this revised regulation or of any other meat regulation in the Distribution Regulation series, you may be prohibited by administrative suspension or revocation order from slaughtering livestock or having slaughtered for you or selling or transferring any meat derived from such slaughterer, for such period of time as may fixed in the order, in accordance with the procedure set forth in Distribution Procedural Regulation 1.

(c) If a registration granted pursuant to the old Distribution Regulation 1 or pursuant to this revised regulation was or is granted on the basis of erroneous information the registration may be suspended or revoked, in whole or in part, in accordance with the procedure set forth in Distribution Procedural Regulation 1.

(d) If any action taken pursuant to the old Distribution Regulation 1 or pursuant to this revised regulation was or is taken on the basis of erroneous information the action may be rescinded or otherwise amended, in whole or in part, to reflect the true facts when such facts are established.

SEC. 21. *Appeals and review.* Any person affected by any action taken under this revised regulation may petition for reconsideration, or appeal from such action in accordance with the procedure set forth in Distribution Procedural Regulation 1.

SEC. 22. *With whom applications, notices, statements and reports made under this revised regulation should be filed.* All applications, notices, statements and reports made pursuant to this revised regulation should be filed with the Livestock and Meat Distribution Branch or Section of the appropriate office of the Office of Price Stabilization.

SEC. 23. *Additional prohibitions.* This revised regulation prohibits among other matters:

(a) Making false or misleading statements in any documents or reports preserved or filed under this revised regulation or acting pursuant to any such statements where you know or have reason to know that they are false or misleading;

(b) Refusal to correct any statement or report which contains erroneous information and any document or form which has been issued on the basis of such erroneous information, when such information is established to be erroneous;

(c) Altering, defacing, mutilating, or destroying any document specified herein;

(d) Forging or counterfeiting any document specified herein;

(e) Acquiring, using, transferring or possessing a forged, counterfeited, altered, defaced, or mutilated document specified herein;

(f) Wrongfully withholding a document specified herein;

(g) Bribing, hindering, or interfering with authorized Office of Price Stabilization officials; and

(h) Attempting to do any act in violation of this revised regulation, directly or indirectly or to aid or encourage another to do so.

SEC. 24. *Enforcement.* If you violate any provision of this revised regulation, you are subject to the criminal penalties and civil penalties provided by the Defense Production Act of 1950, as amended.

SEC. 25. *Petitions for amendment.* If you seek an amendment of any provision of this revised regulation, you may file a petition for amendment. The petition should conform as nearly as possible to the requirements for petitions for amendments contained in Price Procedural Regulation 1, Revised, issued by the Office of Price Stabilization.

SEC. 26. *Interpretations.* If you want an official interpretation of any provision of this revised regulation, you should write to the Division Counsel, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C., if you are a Class 1 or Class 1A slaughterer. In all other cases you should write to the District Counsel of the District Office for the area where you are located, for an interpretation. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this revised regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, Revised.

SEC. 27. *Definitions.* When used in this revised regulation the term:

(a) "Accounting period" means the period of a calendar month or a period of at least four weeks and not more than five weeks in length used by you in keeping your books and records. The accounting periods for Class 1A and Class 2A slaughterers must, for the purposes of this revised regulation, conform to the accounting periods of their Class 1 slaughterers (as shown on OPS Public Form 34) and Class 2 slaughterers (as shown on Form DO 1–2), respectively.

(b) "Calendar year". See section 12 (b).

(c) "Director of Price Stabilization". This term also applies to any official (including officials of Regional or District

offices) to whom the Director of Price Stabilization delegates a function, power or authority referred to in this regulation.

(d) "Meat" means skeletal meat, that part of the striated muscle, with or without attached overlying fat, which is part of a dressed carcass of beef, veal, calf, lamb, yearling mutton, mutton or pork in good health at the time of slaughter. It does not include variety meat, canned meat or sausage.

(e) "Type of meat" means (1) beef, (2) veal, (3) calf, (4) lamb, (5) yearling mutton, (6) mutton or (7) pork.

(f) "Beef", "veal", "calf", "lamb", "yearling mutton" and "mutton" mean meat graded as such pursuant to the provisions of Distribution Regulation 2 and in accordance with the "Official U. S. Standards for Grades of Carcass Beef", the "Official U. S. Standards for Grades of Veal and Calf Carcasses" and the "Official U. S. Standards for Grades of Lamb, Yearling Mutton and Mutton Carcasses" of the United States Department of Agriculture. "Pork" means meat derived from the carcasses of swine.

(g) "Cut of meat" means a dressed carcass or any given part thereof.

(h) "Kind of meat" means meat of a given condition, of boning, trimming and/or stage of processing such as boneless, bone-in, trimmed, untrimmed, fresh, frozen, cured, smoked, cooked, dried, etc.

(i) "Livestock" means cattle, calves, sheep and lambs, and swine.

(j) "Species of livestock" means cattle, calves, sheep and lambs, or swine, respectively.

(k) "Cattle", "calves", "sheep and lambs", and "swine" mean the live animals from which beef, veal and calf, lamb and yearling mutton and mutton and pork, respectively, are derived.

(l) "Office of Price Stabilization where you are registered" means the National Office, if you are a Class 1 or Class 1A slaughterer, or the District Office for the area where your establishment or place of business is located, if you are a Class 2 or Class 2A slaughterer.

(m) "Old Distribution Regulation ". See section 1.

(n) "Place of business" means the place where your establishment is located.

(o) "Purchase base". See section 18 (g).

(p) "Sale or transfer of an establishment". See section 13 (g).

(q) "Slaughterer" means a Class 1, Class 2, Class 1A, Class 2A or Class 3 slaughterer as defined in section 5 of this revised regulation.

(r) "To slaughter" means to kill or to have killed for you cattle, calves, sheep and lambs, or swine.

(s) "Slaughter base". See section 17 (j).

(t) "Slaughtering establishment" means the place at which you slaughter.

(u) "Transfer of meat". See section 10 (a).

(v) "Involuntary transfer" or "transfer by operation of law" means a transfer effected by a court order or a transfer automatically effected pursuant to some provision of law and with or without the necessity of a court order.

(w) "Work day". See section 17 (j).

(x) "You" means any individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of the political subdivisions or any agency of the foregoing, provided that no punishment shall apply to the United States or to any such government, political subdivision or agency.

Effective date. The provisions of this revised regulation shall be effective on March 17, 1952.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 11, 1952.

[F. R. Doc. 52-2983; Filed, Mar. 11, 1952; 11:34 a. m.]

[Distribution Procedural Regulation 1]

DPR 1—PROCEDURES IN MEAT DISTRIBUTION CASES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Delegation of Authority by the Secretary of Agriculture with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Distribution Procedural Regulation 1 is hereby issued.

Preamble. Distribution Regulation 1, Revision 1, provides for the suspension and revocation of slaughtering registrations under certain circumstances set forth in that regulation. This regulation prescribes the procedure to be followed in such cases. In addition the regulation establishes a machinery for appeals from orders issued under a meat distribution regulation.

Both the suspension and revocation proceedings and the appeal proceedings will be conducted before the Meat Distribution Board of Appeals. The Board may also consider and decide a third class of cases, namely, those referred to it as appropriate for the taking of oral testimony before rendition of an initial decision.

In suspension and revocation cases, a formal oral hearing before a Hearing Officer is mandatory. Where an appeal is taken, a formal oral hearing may be held in the discretion of the Board. The regulation prescribes rules for the conduct of such hearings.

In view of the technical and procedural nature of this regulation, special circumstances have rendered consultation with industry representatives impracticable.

REGULATORY PROVISIONS

ARTICLE I—INTRODUCTION

Sec.
1. What this regulation does.
2. Basic procedures established by this regulation.

ARTICLE II—SUSPENSIONS AND REVOCATIONS

Sec.
20. Introductory.
21. Commencement of proceeding.
22. Complaint.
23. Answer.
24. Hearing.
25. Temporary suspension.
26. Final decision.

ARTICLE III—APPEALS

30. Distinction between appeal and reconsideration.
31. Who may appeal.
32. Effect of appeal.
33. How to appeal.
34. When and where to file.
35. Consideration of the appeal.
36. Decision on appeal.
37. Cases referred to the Board of Appeals.
38. Remand in other cases.

ARTICLE IV—HEARINGS

40. Introductory.
41. Time and place of hearing.
42. Conduct of hearing.
43. Rules of evidence.
44. Subpenas and witnesses.
45. Transcript of hearing.
46. Briefs to the Hearing Officer.
47. Report by the Hearing Officer.
48. Briefs to the Board of Appeals.
49. Oral argument.

ARTICLE V—GENERAL PROVISIONS

50. Introductory.
51. Issues.
52. Motions.
53. Decisions.
54. Consent orders.
55. Method and proof of service.
56. Service of materials filed with the Board of Appeals.
57. Participation in proceeding.
58. Appearances.
59. Defaults.
60. Contemptuous conduct.
61. Computation of time.

AUTHORITY: Sections 1 to 61 issued under sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154. Interpret or apply secs. 101–103, 705, 64 Stat. 798, 816, as amended; 50 U. S. C. App. Sup. 2061, 2154. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

ARTICLE I—INTRODUCTION

SECTION 1. *What this regulation does.* (a) This regulation establishes the procedure to be followed for suspension or revocation of a registration, in whole or in part, pursuant to Distribution Regulation 1, Revision 1.

(b) (1) This regulation also prescribes the procedure for appeals and hearings in cases involving orders of the Office of Price Stabilization under any of the meat regulations in the Distribution Regulation series, hereafter referred to as meat distribution regulations.

(2) Illustrative of the type of orders which may be appealed under this regulation are denials of new registrations, denials of applications for adjustments or other relief under section 19 of Distribution Regulation 1, Revision 1, or section 8 of Distribution Regulation 3 or denials of applications for approval of transfer of registrations under sections 14 or 15 of Distribution Regulation 1, Revision 1.

SEC. 2. *Basic procedures established by this regulation*—(a) *Suspensions and revocations.* Article II contains the provisions relating to suspension or revocation of a registration pursuant to Distribution Regulation 1, Revision 1.

(b) *Appeals.* Article III contains the provisions relating to appeals to the Meat Distribution Board of Appeals, hereafter referred to as the Board of Appeals.

(c) *Hearings.* Article IV contains the provisions relating to hearings. A hearing will be held:

(1) Whenever a complaint requesting issuance of a suspension or revocation order has been filed with the Board of Appeals. All such complaints will be assigned for the taking of evidence before a Hearing Officer.

(2) Whenever an appeal has been taken to the Board of Appeals and the Board decides that proper consideration of the appeal requires the taking of evidence before a Hearing Officer.

(3) Whenever the Chief of the Livestock and Meat Distribution Branch of the National Office of OPS concludes that an application cannot properly be considered without the taking of evidence before a Hearing Officer and refers the case to the Board of Appeals for disposition by the Board. See section 37.

ARTICLE II—SUSPENSIONS AND REVOCATIONS

SEC. 20. *Introductory.* This Article II prescribes the procedure to be followed in cases involving suspension or revocation of registrations pursuant to Distribution Regulation 1, Revision 1.

SEC. 21. *Commencement of proceeding.* A proceeding to suspend or revoke a registration is commenced by filing a complaint with the Board of Appeals and by serving a copy on the respondent. The complaint shall be signed by the Director of Enforcement.

SEC. 22. *Complaint.* (a) The complaint shall contain a short and plain statement of the facts upon the basis of which the suspension or revocation is requested. It need not be in any particular form provided that all allegations shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances.

(b) A copy of this regulation shall be attached to the copy of the complaint to be served upon the respondent and that copy of the complaint shall contain an endorsement calling attention to sections 23 and 59.

SEC. 23. *Answer.* (a) The respondent must file an answer to the complaint, signed personally by him. The answer should admit or deny each allegation of the complaint or, in appropriate cases, state that the respondent does not have sufficient knowledge to permit him to admit or deny an allegation. It should also contain a short and plain statement of any grounds of defense to the allegations of the complaint.

(b) The answer must be filed with the Board and served on the Director of Enforcement within 10 days of the receipt of the complaint.

SEC. 24. *Hearing.* Upon receipt of an answer, the Board of Appeals shall assign the complaint for the taking of evidence before a Hearing Officer. The procedure in cases assigned for hearing is described in Article IV.

SEC. 25. *Temporary suspension.* (a) At any time after the filing of a complaint, the Director of Enforcement may file with the Board of Appeals and serve on the respondent a motion to suspend the registration of a respondent pending the outcome of the proceeding.

(b) The motion shall be accompanied by affidavits by persons having knowledge of the facts setting forth in detail the evidence which it is claimed warrants suspension or revocation of the respondent's registration. It shall also be accompanied by a showing that a suspension of the respondent's registration pending the outcome of the proceeding is required in order to facilitate the orderly distribution of livestock or meat and thus to promote the national defense. In addition, the motion may be accompanied by a brief.

(c) Within 10 days of the receipt of the motion the respondent may serve and file answering affidavits or a brief or both. If the respondent desires oral argument before the Board of Appeals, he should so request.

(d) The Board of Appeals shall hear oral argument on all motions filed under this section where the respondent so requests.

(e) The Board of Appeals, if it finds that the facts disclosed on the motion warrant a suspension or revocation and that a showing has been made that a suspension pending the outcome of the proceeding is required in order to facilitate the orderly distribution of livestock or meat and thus to promote the national defense, may order that the registration of the respondent be suspended for a period not in excess of 90 days or until its final order in the proceeding, whichever is the earlier.

SEC. 26. *Final decision.* The final decision of the Board of Appeals in a suspension or revocation case shall, in accordance with the applicable regulatory standards, revoke a registration or suspend it for a specified period of time. The suspension may either be for a calendar period or its termination may be made contingent on the happening of some event.

ARTICLE III—APPEALS

SEC. 30. *Distinction between appeal and reconsideration.* (a) If a person is adversely affected by an order of the Office of Price Stabilization and he has new and substantial facts to present, he shall apply for reconsideration to the official of the Office of Price Stabilization who signed the order, within thirty days of the date of that order. No formal procedure need be followed in applying for reconsideration.

(b) If a person is adversely affected by an order of the Office of Price Stabilization and has no new and substantial facts to present, he may appeal from that order in accordance with the provisions of this Article.

(c) Section 38 covers the situation where a person adversely affected by an order of the Office of Price Stabilization has appealed from that order and, after taking such appeal, he discovers new and substantial facts which he desires to present.

(d) For the purposes of this Article the word "order" means any written determination by an authorized official of the Office of Price Stabilization which finally disposes of an application under a meat distribution regulation.

(e) An order by the Director of a District or Regional Office of the Office of Price Stabilization may not be appealed to the National Office of the Office of Price Stabilization, but only to the Board of Appeals.

SEC. 31. *Who may appeal.* Any person adversely affected by an order may appeal from that order.

SEC. 32. *Effect of appeal.* An appeal does not suspend the effectiveness of an order. An order appealed from continues to be effective until reversed or modified by the Board of Appeals.

SEC. 33. *How to appeal.* (a) An appeal is taken by filing a statement of appeal signed personally by the appellant.

(b) The statement of appeal should set forth:

(1) The name and business address of the appellant;

(2) A copy of the order appealed from; and

(3) A statement of the grounds of the appeal.

(c) The statement of appeal may be accompanied by written information or by written argument in the form of a brief or otherwise, or by both.

(d) If the appellant desires that evidence be taken before a Hearing Officer, the statement of appeal should so state. Also, if the appellant desires to present oral argument to the Board of Appeals, the statement of appeal should so state.

SEC. 34. *When and where to file.* (a) A statement of appeal must be mailed or filed within 30 days of the date of the order appealed from. However, if the order appealed from was issued prior to the effective date of this regulation, a statement of appeal may be mailed or filed within 30 days after such effective date.

(b) A statement of appeal should be mailed to or filed with the Board of Appeals, Office of Price Stabilization, Washington 25, D. C.

SEC. 35. *Consideration of the appeal—*(a) *The record.* (1) the Record before the Board of Appeals shall consist of the following:

(i) The application;

(ii) Any written communications between the applicant and the Office of Price Stabilization relating to the application;

(iii) Any other factual material in writing considered by the OPS officials preparing the decision appealed from in arriving at that decision;

(iv) The statement of appeal and any written information or written argument submitted by a party to the Board of Appeals in support of the appeal;

(v) Any written information or written argument submitted, by a party, to the Board of Appeals in opposition to the appeal.

(2) The Board of Appeals shall obtain from the appropriate OPS officials the

material referred to in subparagraph (1) (i) to (iii) inclusive, of this paragraph.

(3) In addition the record before the Board of Appeals shall include:

(i) The official transcript of oral argument, if any, held before the Board;

(ii) In the case where evidence has been taken before a Hearing Officer, the record of the proceedings before the Hearing Officer, the Hearing Officer's report and the record of the proceedings subsequent to that report.

(b) *Reference to a Hearing Officer.* (1) The Board of Appeals may refer specified issues raised by an appeal to a Hearing Officer for the taking of evidence in any case where it decides that proper consideration of the appeal requires the taking of evidence. The order of reference to the Hearing Officer shall define the issues on which evidence shall be taken. A copy of the order of reference shall be served upon all parties to the proceeding.

(2) An order of reference to a Hearing Officer may be issued at any stage of the Board's consideration of the appeal.

(3) When the Board makes a reference to a Hearing Officer, the proceedings before the Hearing Officer and subsequent to his report shall be that specified in Article IV.

(c) *Oral argument.* Oral argument will be held in all cases where the Board finds it may be helpful in the proper consideration of the appeal. Oral argument shall be limited to a reasonable time for each party.

SEC. 36. *Decision on appeal.* The Board of Appeals may, in accordance with the applicable regulatory standards, affirm the order appealed from, reverse it, or modify it. The Board may also remand the case for further consideration by the officer who signed the order appealed from.

SEC. 37. *Cases referred to the Board of Appeals.* (a) Where the Chief of the Livestock and Meat Distribution Branch of the National Office of OPS concludes that an application cannot properly be considered without the taking of evidence before a Hearing Officer, he may refer the case to the Board of Appeals for disposition by the Board.

(b) A case shall be referred to the Board of Appeals by a letter from the Chief of the Livestock and Meat Distribution Branch of the National Office of OPS stating the issues which he believes cannot properly be considered without the taking of oral testimony. A copy of the letter shall be served on the applicant.

(c) If the Board of Appeals decides that the case referred is appropriate for the taking of oral testimony it shall refer the case to a Hearing Officer. Otherwise it will remand the case by letter stating the reasons for the remand. A copy of the letter shall be served upon the applicant.

(d) The procedure in a case referred to the Board of Appeals, shall as nearly as possible be the same as that prescribed in this Article III for appeals.

SEC. 38. *Remand in other cases.* (a) Where an applicant after appealing to the Board of Appeals, has new and substantial facts to present, the Board of Appeals may receive and consider those facts in connection with its disposition of the appeal if there was good reason for not presenting them earlier. However, in such situations, the Board may also remand the case to the OPS official who signed the order appealed from.

(b) If the Board remands the case it shall do so by letter stating the reasons for the remand. A copy of the letter shall be served upon the applicant.

ARTICLE IV—HEARINGS

SEC. 40. *Introductory.* This Article IV prescribes the procedure for hearings in cases covered by Articles II and III of this regulation.

SEC. 41. *Time and place of hearing.* The parties shall be served with reasonable notice of the time and place of hearing. The Hearing Officer may postpone or adjourn the hearing to a later date or to a different place. The parties shall be served with a notice of the postponement or adjournment.

SEC. 42. *Conduct of hearing.* (a) A hearing shall be held before a Hearing Officer designated by the Board of Appeals. The Hearing Officer shall preside at the hearing, administer oaths and affirmations, and rule on the admission and exclusion of evidence.

(b) Any party may be represented by counsel, may present evidence and shall have reasonable opportunity for the cross-examination of witnesses.

(c) All hearings shall be public.

SEC. 43. *Rules of evidence.* The rules of evidence governing civil proceedings in matters not involving trial by jury in the District Courts of the United States shall apply at all hearings. However, such rules may be relaxed by the Hearing Officer when the ends of justice will be better served by so doing.

SEC. 44. *Subpenas and witnesses.* (a) The Hearing Officer shall have power to issue subpenas on the request of any party.

(b) A subpena may require the attendance of a witness or the production of tangible evidence (including documents), or both.

(c) A request for a subpena must be made in writing. It need not be made on notice to any party. At the time of the request the party making it shall submit to the Hearing Officer an original and 3 copies of the proposed subpena.

(d) A subpena calling for the attendance of a witness shall be issued upon request. A subpena calling for the production of tangible evidence (including documents) shall be issued only if it appears that (1) the evidence requested is relevant to the issues, (2) no adequate and authoritative data are available from any Federal or other responsible agency, and (3) the evidence requested is described in the proposed subpena with sufficient particularity to enable it to be identified for purposes of production.

(e) Where a subpena calling for the attendance of a witness is issued at the request of a party other than the Office of Price Operations or the Office of Enforcement, the witness whose attendance is required shall be tendered the fee for one day's attendance and for mileage. Witnesses shall be paid the same fees and mileage as are paid witnesses in the District Courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witness is called or subpenaed.

(f) A subpena must be served upon the person named therein.

(g) Any person served with a subpena may file a motion to quash or modify it. The motion shall be in writing and must be filed with the Hearing Officer on or before the return day of the subpena. A copy of the motion must be served on the party at whose request the subpena was issued. The motion must state the grounds for quashing or modification. The motion shall be decided by the Hearing Officer.

(h) Employees of the Office of Price Stabilization may only be required to testify in accordance with procedures established, now or in the future, by the Office of Price Stabilization for the appearance of its employees in court proceedings.

SEC. 45. *Transcript of hearing.* (a) The official stenographic transcript of the hearing shall be taken by a reporter provided by the Hearing Officer. The transcript shall be part of the record. It shall be available for inspection by all parties during business hours at such place as may be designated by the Hearing Officer.

(b) The cost of a copy of the transcript requested by a party shall be borne by that party.

(c) The parties may, by stipulation, agree upon corrections to the transcript. The Hearing Officer shall, by written findings, resolve any dispute as to the accuracy of the transcript.

SEC. 46. *Briefs to the Hearing Officer.* At the close of the hearing the Hearing Officer will fix a time for the submission of briefs to him. Within the time fixed any party may submit a brief to the Hearing Officer.

SEC. 47. *Report by the Hearing Officer.* The Hearing Officer shall file with the Board and serve on the parties a report setting forth his findings and conclusions on the issues submitted to him for hearing. The findings and conclusions may be stated informally.

SEC. 48. *Briefs to the Board of Appeals.* After the filing and service of a report, the Board of Appeals will fix a time for the submission of briefs to the Board. Within the time fixed any party may submit a brief to the Board.

SEC. 49. *Oral argument.* In all cases where evidence has been taken before a Hearing Officer, the Board of Appeals shall hear oral argument upon the request of any party. It may also assign a case for oral argument upon its own motion. Oral argument shall be limited to a reasonable time for each party.

ARTICLE V—GENERAL PROVISIONS

SEC. 50. *Introductory.* This Article V contains general provisions applicable in cases covered by Articles II, III and IV of this regulation.

SEC. 51. *Issues.* The issues in any suspension or revocation proceeding shall be those raised by the complaint and answer. The issues on any appeal shall be those set forth in the statement of appeal. The issues in a case referred to the Board of Appeals under section 37 shall be those stated in the letter of reference. However, any issue relevant under the applicable regulatory standards may be heard, argued and disposed of where the parties to the proceeding are given proper notice of that issue.

SEC. 52. *Motions.* (a) A request for action by the Board of Appeals, other than action which finally disposes of the proceeding, shall be made by motion.

(b) The motion shall state clearly the nature of the action requested. It shall also be accompanied by a statement of the grounds on the basis of which the action is requested. Facts alleged in support of a motion shall be set forth in affidavits.

SEC. 53. *Decisions.* (a) Every decision of the Board of Appeals shall be embodied in an order and served upon the parties. The order, except in cases covered in section 54, shall be accompanied by a brief statement of the reasons for the decision in the form of an opinion or otherwise.

(b) An order of the Board of Appeals must be consistent with the applicable regulatory provisions. The Board of Appeals may not itself amend or order the amendment of any regulation issued by the Office of Price Stabilization.

(c) No appeal may be taken from a decision of the Board of Appeals. However, the Board may be asked to reconsider its decision.

SEC. 54. *Consent orders.* The Board of Appeals may issue an order on consent of the parties affected thereby. An order entered on consent need not be accompanied by any statement of the reasons for the order.

SEC. 55. *Method and proof of service.* (a) This section covers service of all papers in a proceeding including but not limited to complaints, answers, subpenas and motions.

(b) Service may be made by (1) delivery of a copy to a party or witness personally, or (2) by leaving a copy at his residence, or (3) by leaving a copy at his principal office or place of business during usual business hours, or (4) by registered mail, or (5) by telegraph. However, service of a complaint or subpena may not be made by telephone. Service by registered mail or by telegraph is complete upon mailing, or upon delivering the text of the telegram to a telegraph office.

(c) Service may be proved by affidavit of the person making the service or by post office return receipt or telegraph receipt.

(d) Where a party has appeared by attorney or by another person, service on the party may be made by serving the attorney or other person.

SEC. 56. *Service of material filed with the Board of Appeals.* True and correct copies of materials filed with the Board of Appeals including but not limited to briefs, written information and statements of appeal, but excluding requests for subpenas, must be served upon all other parties to the proceeding within forty-eight hours after they are filed with the Board of Appeals.

SEC. 57. *Participation in proceeding.* (a) The Office of Enforcement and the respondent slaughterer shall have the right to participate in a suspension or revocation case.

(b) The appellant and the Office of Price Operations shall have the right to participate in an appeal.

(c) The Board of Appeals may allow any other person who has a substantial interest to participate in a proceeding.

SEC. 58. *Appearances.* (a) Any individual party may appear for himself. Any partner may appear for a partnership. Any officer of a corporation or association may appear for the corporation or association.

(b) Any party may appear by attorney. The Office of Enforcement shall appear by attorney designated by the Director for Enforcement. The Office of Price Operations shall appear by attorney designated by the Chief Counsel of OPS.

(c) No other person may appear for a party unless specifically authorized to do so in writing by the party.

(d) A record shall be made of all appearances.

SEC. 59. *Defaults.* (a) If a party fails to file a pleading, or to appear at a hearing or otherwise defaults, the Board of Appeals may proceed to decide the case on the basis of the record made up to the time of the default and of any other facts of record which the Board of Appeals may, in its discretion, elicit after the default.

(b) At any time within 10 days after receipt of an order issued after a default, a defaulting party may file a motion to reopen the proceeding. The motion shall set forth the grounds on which it is believed the default should be excused. If the Board of Appeals finds that there was a reasonable excuse for the default, it may reopen the proceeding.

(c) If a party fails to exercise any right or privilege granted to him by this regulation within the time or in the manner specified for the exercise of that right or privilege he will be deemed to have waived such right or privilege.

SEC. 60. *Contemptuous conduct.* Any person guilty of contemptuous conduct before a Hearing Officer or before the Board of Appeals may be excluded from the hearing or argument.

SEC. 61. *Computation of time.* If the time to take an action provided in this regulation expires on a Sunday or a holiday, the action may be taken on the next day which is not a Sunday or a holiday. However, a Sunday or a holiday shall be counted in computing time.

Effective date. This regulation shall become effective on March 17, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 11, 1952.

[F. R. Doc. 52-2982; Filed, Mar. 11, 1952; 11:34 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 17]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 17—MANATEE-SARASOTA MILK MARKETING AREA, STATE OF FLORIDA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Delegation of Authority 41, (16 F. R. 12679), and Redelegation of Authority No. 15, (17 F. R. 328), this area milk price regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation, as amended, (16 F. R. 9559; 17 F. R. 446, 893), is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at various levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt.

On September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual marketing areas upon petition or upon the initiative of the appropriate District or Regional Director. Under the provisions of said regulation, marketing areas as established by any state milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under Area Milk Price Regulation. Pursuant to this authority, this area milk price regulation is being issued adjusting ceiling prices for the Manatee-Sarasota Marketing Area, consisting of Manatee and Sarasota Counties, Florida, on sales of fluid milk products within that area by processors and distributors.

Sales of milk products not covered by this regulation remain bound by the provisions of the General Ceiling Price Regulation. These include milk powder and products produced from reconstituted milk.

This area milk price regulation provides dollar and cent ceiling prices for certain basic fluid milk products at wholesale delivered and at retail home delivered. The ceiling prices established by this regulation have been based on the prices in effect during the period January 1, 1950–January 30, 1950 and increases in cost per sales point of direct labor (including distribution labor and commission) and containers, cans and cases. This area milk price regulation was issued on the basis of data, found to be representative of operations in the marketing area, which was furnished by the processors and distributors of milk in the area involved by petition filed in their behalf by the Florida Milk Commission.

This regulation indicates the price for raw milk upon which the adjustments in ceiling prices are based, which includes all parity adjustments from the GCPR "base period" to the effective date of this regulation. The producer price for raw milk specified in section 8 of

this regulation is to be the basis for computing future parity adjustments. This producer price is the minimum price set by the Florida State Milk Commission in the Manatee-Sarasota Milk Marketing Area for Grade 1 milk.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this area milk price regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

The District Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to all relevant factors of general applicability.

The Director has consulted the industry to the extent practicable and has given due consideration to its recommendations.

REGULATORY PROVISIONS

Sec.
1. What this area milk price regulation does.
2. Where this area milk price regulation applies.
3. Sellers and sales covered by the area milk price regulation.
4. Ceiling prices of listed items for processors and distributors.
5. Ceiling prices of unlisted items for processors and distributors.
6. Use of competitor's ceiling prices to establish your ceiling prices.
7. Sellers who cannot price under other sections of this regulation.
8. Producer prices.
9. Rounding of fractions.
10. Special conditions.
11. Transfers of business or stock in trade.
12. Definitions.
13. Prohibitions.
14. Violation.

AUTHORITY: Sections 1 to 14 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this area milk price regulation does.* This area milk price regulation issued pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (SR 63) provides dollar and cent ceiling prices at wholesale delivered and at retail home-delivered for the milk products for fluid consumption listed in section 4 when sold in the Manatee-Sarasota milk marketing area. It also provides a method for determining ceiling prices on listed products sold in containers of other types and sizes and to other classes of purchasers as well as ceiling prices of unlisted products. It does not apply to powdered milk nor to products produced from reconstituted milk.

SEC. 2. *Where this area milk price regulation applies.* The provisions of this area milk price regulation are applicable to the Manatee-Sarasota milk marketing area described as follows: All that area within the boundaries of Manatee and Sarasota Counties, Florida.

SEC. 3. *Sellers and sales covered by this area milk price regulation.* (a) This area milk price regulation covers sales in this marketing area of milk products for fluid consumption by processors and distributors. This area milk price regulation also covers sales of milk products to be delivered to a purchaser located in this area, although the seller is located outside of this area, but it does not cover sales of milk products to be delivered from a plant located in this area to a purchaser located outside of the area.

(b) This regulation does not apply to operators of retail stores. Such sellers shall continue to establish their ceiling prices under the General Ceiling Price Regulation and under Supplementary Regulation 20 to the General Ceiling Price Regulation.

SEC. 4. *Ceiling prices of listed items for processors and distributors.* Your ceiling prices for the listed milk products for fluid consumption in the designated types and sizes of containers are as follows:

CEILING PRICES ON MILK AND MILK PRODUCTS IN THE MANATEE-SARASOTA AREA

	Wholesale (delivered)	Retail (home delivered)
Grade A pasteurized, raw and chocolate milk:		
In bulk, 1 gallon or more, per gallon	$0.88	
Quart	.23	$0.25
Pint	.12½	.14½
½ pint	.06¾	
½ pint (schools)	.06½	
Homogenized milk, with or without vitamin D:		
In bulk, 1 gallon or more, per gallon	.90	
Quart	.24	.26
Pint	.13	.15
½ pint	.06¾	
½ pint (schools)	.06½	
Buttermilk and skim milk:		
In bulk, 1 gallon or more, per gallon	.58	
Quart	.17	.19
Pint	.08½	.10½
½ pint	.06	
Certified and premium milk:		
Quart	.25	.27
Forty percent (40%) cream:		
In bulk, 1 gallon or more, per gallon	4.75	
Quart	1.25	1.35
Pint	.68	.76
½ pint	.35	.40
Twenty percent (20%) cream:		
In bulk, 1 gallon or more, per gallon	3.15	
Quart	.80	.90
Pint	.48	.56
½ pint	.24	.28

SEC. 5. *Ceiling prices of unlisted items for processors and distributors*—(a) *Listed products in unlisted types or sizes, or unlisted types and sizes, of containers.* Your ceiling price for a product listed in section 4 which is packed in a container of an unlisted type or size, or an unlisted type and size, shall be the ceiling price listed in section 4 for a comparison item, adjusted by the dollars-and-cents differential which existed between your ceiling prices, established under section 3 of the GCPR, of the comparison item and the unlisted item for which you are seeking a ceiling price. The comparison item which you must use is the same product packed in the container most similar, first, as to size, and second, as to type and delivered to the same class of purchaser as the item for which you are determining a ceiling price.

(b) *Listed products sold to unlisted classes of purchasers.* Your ceiling price for a product listed in section 4 of this regulation to an unlisted class of purchaser is the ceiling price listed in section 4 for the same product in the same container type and size delivered to the store, adjusted by the dollars-and-cents differential which existed between your ceiling prices, established under section 3 of the GCPR, of this product delivered to the store and this product delivered to the unlisted class of purchaser, the container being of the same type and size.

(c) *Listed products in unlisted types and sizes of containers and sold to unlisted classes of purchasers.* Your ceiling price for a product listed in section 4 of this regulation which is packed in a container of an unlisted type and size (or either type or size) and is sold to an unlisted class of purchaser, shall be the ceiling price for a comparison item listed in section 4, adjusted by the dollars-and-cents differential which existed between your ceiling prices, established under section 3 of the GCPR, of the comparison item and the unlisted item for which you are seeking a ceiling price. The comparison item which you must use is the same product as the item for which you are determining a ceiling price packed in the container most similar, first, as to size and, second as to type and delivered to the same class of purchaser (or, if the sale is to an unlisted class of purchaser, then delivered to the store).

(d) *Unlisted products.* Your ceiling price for a product which is not listed in section 4 shall be the ceiling price for a comparison item listed in section 4, adjusted by the dollars-and-cents differential which existed between your ceiling prices, established under section 3 of the GCPR, of your comparison item and the unlisted item for which you are seeking a ceiling price. The comparison item which you must use is the product listed in section 4 most similar in composition as to butterfat and other ingredients, packed in the container most similar, first, as to size, and, second, as to type, and delivered to the same class of purchaser as the item for which you are determining a ceiling price, (or if the sale is to an unlisted class of purchaser, then delivered to the store).

(e) *Price differentials.* Ceiling prices established pursuant to sections 4 and 5 must be modified by price differentials which existed between your ceiling prices determined under section 3 of GCPR and which resulted from discounts, allowances, premiums, extras, location of purchasers, and terms and conditions of sale or delivery.

(f) *Reporting of differentials and prices resulting therefrom.* You shall report the ceiling prices computed pursuant to paragraphs (a) through (e) of this section 5 and the differentials used in determining these ceiling prices to the District Office of the Office of Price Stabilization, Roper Building, Third Avenue, Miami, Fla., by registered mail, return receipt requested, within five days after the effective date of this regulation. This report shall be filed on OPS Public Form 123, which may be obtained from the aforementioned office. Your price lists in effect during any part or all of the GCPR base period, including the time

during which they were in effect, must accompany the report, unless you have previously mailed such price lists by registered mail to the Director who is issuing this regulation. You shall not sell at the ceiling prices computed pursuant to this section 5 until the Office of Price Stabilization has received the report required by this paragraph as shown by your return postal receipt.

(g) *Modification of proposed ceiling prices by District Director of Price Stabilization.* The District Director of the Office of Price Stabilization may at any time disapprove or revise downward ceiling prices established under this section 5 so as to bring them into line with the level of ceiling prices otherwise established under this regulation.

SEC. 6. *Use of competitor's ceiling prices to establish your ceiling prices*—(a) *How you determine your ceiling price.* If you cannot determine a ceiling price under either sections 4 or 5, your ceiling price for the sale of any milk product for fluid consumption to any class of purchaser is the ceiling price determined under this regulation for the sale of the same milk product in the same size and type of container by your most closely competitive seller of the same class to the same class of purchaser.

(b) *When you may sell at your competitor's ceiling price.* You shall not sell any such milk product until you have sent the report required by paragraph (c) of this section by registered mail, return receipt requested, to the District Director of the Office of Price Stabilization who issued this regulation. After OPS has received your reports, as shown by your return postal receipt, you may sell the product at your proposed ceiling price unless you are notified by the District Director that your proposed ceiling price has been disapproved or that more information is required.

(c) *Report required when you use your competitor's ceiling price.* Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reasons for selecting him as your most closely competitive seller; and if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and if so, the trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the product you are pricing; the processing involved in the production of that product; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor: A description of the product you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the class of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser; and a statement that your proposed ceiling prices will not exceed the ceiling price your customers paid to their customary sources of supply. A report under this section 6 may be filed on OPS Public Form 122, which may be obtained from the District Director of the Office of Price Stabilization who issued this regulation.

SEC. 7. *Sellers who cannot price under other sections of this regulation*—(a) *How you obtain your ceiling price.* If you cannot determine a ceiling price under sections 4, 5, and 6 you must apply to the District Director of the Office of Price Stabilization who issued this regulation for the establishment of a ceiling price for sales by you of that milk product for fluid consumption. The Director will, as soon as possible after the receipt of the application or the receipt of such additional information as he may request, issue a letter order establishing a ceiling price for the sale by you of that product at the various levels of distribution, and specifying a producer price for milk from which parity adjustments will be computed. You may not sell the milk product until the Director has issued a letter order establishing your ceiling price for the sale of the product.

(b) *What your application must contain.* An application under the provisions of this section must contain the following information: An explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business such as indicated in section 6 (c) (1) or (2); a description of the product, its butterfat content, the type and size of container in which it will be sold and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believe the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

SEC. 8. *Producer prices.* (a) The producer price for milk on which are based the adjusted ceiling prices specified in section 4 of this regulation is 59 cents per gallon for milk testing 4 percent butterfat content with a plus or minus differential of ½ cent per gallon for each 1/10 of 1 percent butterfat content, F. O. B. plant.

(b) Producer prices specified in section 8 (a) must be used as the basis for computing parity adjustments of ceiling prices in accordance with section 8 of Supplementary Regulation 63 to the GCPR. For the purpose of computing parity adjustments in accordance with section 8 of Supplementary Regulation 63 to the General Ceiling Price Regulation, the producer price to which ceilings will be adjusted will be the Class I price announced by the Florida Milk Commission for milk containing 4 percent butterfat using as a base the Class I price for the month of September, 1951.

(c) After the determination of your ceiling price under either section 6 or 7 you may increase, and you must decrease, the ceiling prices so established by parity adjustments in conformity with section 8 (a) of Supplementary Regulation 63. If your ceiling price was determined under section 6 of this regulation, you shall compute your parity adjustments from the highest price you paid or incurred for your customary purchase of milk or products processed therefrom during the most recent paying period prior to the date you mailed your report. If you made no customary purchase prior to the date you mailed your report, the price you paid or incurred for your first customary purchase between the date you mailed your report and the date you first offered your product for immediate delivery shall be your base for computing parity adjustments. If your ceiling price was determined under section 7 of this regulation, you shall compute your parity adjustments from the producer price specified in the letter order.

SEC. 9. *Rounding of fractions.* Fractions of a cent remaining after you have computed your ceiling price for the total number of units of any milk product (and after giving effect to section 8 (b) of Supplementary Regulation 63) shall be dropped if less than one-half cent and may be increased to the next higher cent if one-half cent or more. If, however, you have customarily billed any particular purchaser or any class of purchasers for milk products for fluid consumption purchased during a month or other billing period, any fraction remaining after the computation of the ceiling price for the total number of units of all milk products for fluid consumption so sold during the preceding month or other billing period shall be dropped if less than one-half cent and may be increased to the next higher cent if one-half cent or more.

SEC. 10. *Special conditions.* Each seller must maintain the conditions and terms of sale he had in effect during the period December 19, 1950, through January 25, 1951, and observe the following provisions of the General Ceiling Price Regulation:

Section 2 (c): Prohibitions.
Section 16: Records.
Section 17: Sales slips and receipts.
Section 18: Evasion.
Section 19: Transfers of business or stock in trade.
Section 21: Penalties.

SEC. 11. *Transfers of business or stock in trade.* If the business assets or stock in trade of any business are sold or otherwise transferred after this regulation becomes effective, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and

make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 12. *Definitions*—(a) *Processor.* A processor is any person who pasteurizes, blends, treats, compounds, manufactures, or packages milk products for fluid consumption. A processor may also be a distributor.

(b) *Distributor.* A distributor is a person who buys packaged milk products in the same form in which he sells them and, for the purposes of this area milk price regulation, excludes the operator of a retail store.

(c) *Milk products for fluid consumption.* This term means standard milk; homogenized milk; vitamin and mineral fortified milk; high fat milks; milks of special curd tensions and other milks with special dietary qualities and properties; buttermilk; chocolate milk; skim milk, plain; skim milk, vitamin or mineral fortified; skim milk drinks such as chocolate drink; half and half; cream of various percentages of butterfat, including sour cream; cottage, pot and bakers cheese; butter cream, filled cream, cream mixed with other ingredients or gases used as whipping cream, and other specialized fluid cream products; and any other milk or cream variation sold whether such products are to be sold at retail or wholesale, and regardless of whether such products are to be sold in glass, paper, or other type of containers, or in bulk. It is not intended, however, for this definition to include milk, cream, skim milk or whey when such products are exempt from the General Ceiling Price Regulation or to include ice cream or ice cream mix, canned, evaporated or condensed milk, milk powder, butter or other manufactured products not used for fluid consumption. Neither is it intended to include sales of concentrated frozen fresh milk sold by wholesalers, such sales being governed by Ceiling Price Regulation 14. This regulation applies only to milk, and products therefrom, produced by cows. It does not include, and is not intended to include milk powder or products made or produced from reconstituted milk.

(d) *Item.* An item is each grade and each container size and type of each milk product listed in paragraph (c) of this section, by class of purchaser.

(e) *Most closely competitive seller of the same class.* Your most closely competitive seller of the same class is the seller with whom you are in most direct competition even though he may perform a different function with respect to the commodity or service (e. g., if you are a wholesaler of a commodity, your most closely competitive seller may be a manufacturer; or, if you are a retail supplier of a service, your most closely competitive seller may be a wholesaler). You are in direct competition with another seller who sells the same types of commodities or services to the same classes of purchaser in similar quantities, on similar terms and, if you are selling a commodity, you supply approximately the same amount of service.

(f) *Class of purchaser or purchaser of same class.* This term refers to the practice adopted by a seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, shopper, retailer, Government agency, public institutions or individual consumer) or for purchasers located in different areas or for purchasers of different quantities or grades or under different terms or conditions of sale or delivery.

(g) *You.* The pronoun "you" as used in this area milk price regulation indicates the person subject thereto.

(h) *Definitions in SR 63 to the GCPR.* All terms and phrases not defined in this area milk price regulation but defined in Supplementary Regulation 63 to the General Ceiling Price Regulation, as amended, shall be construed as therein defined unless otherwise clearly required by the context of this regulation.

(i) *Definitions in the GCPR.* All terms and phrases not defined in this area milk price regulation and not defined in Supplementary Regulation 63 to the General Ceiling Price Regulation but defined in the General Ceiling Price Regulation, as amended, shall be construed as therein defined unless otherwise clearly required by the context of this regulation.

SEC. 13. *Prohibitions.* After the effective date of this regulation regardless of any contract or other obligation, you shall not sell, and you shall not buy in the regular course of business or trade, any milk product at a price in excess of the ceiling price established by this regulation. The term "sell" includes sell, supply, dispose, barter, exchange, transfer, deliver, and contracts and offers to do any of the foregoing. The term "buy" shall be construed accordingly.

SEC. 14. *Violation*—(a) *Civil and criminal action.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950.

(b) *Violations of reporting requirements.* If any person subject to this regulation fails to file the reports required by this regulation, or if any person subject to this regulation fails to establish a ceiling price, or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director may issue an order fixing ceiling prices for the milk products such person sells. Any ceiling price fixed in this manner will be in line with ceiling prices established by this regulation. This order fixing the ceiling price may apply to all deliveries or transfers for which a ceiling price was not established in accordance with the provisions of this regulation, including deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of this obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

Effective date. This area milk price regulation is effective March 11, 1952.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOHN E. NEEL,
Acting District Director,
Office of Price Stabilization.

MARCH 11, 1952.

[F. R. Doc. 52-2984; Filed, Mar. 11, 1952; 11:35 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 31 to Schedule A]

[Rent Regulation 2, Amdt. 29 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

CALIFORNIA, INDIANA, NEW JERSEY, AND PENNSYLVANIA

Effective March 12, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 7th day of March 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

1. Schedule A, Item 40a, is amended to describe the counties in the defense-rental area as follows:

Ventura County, except the City of San Buenaventura and all unincorporated localities.

This decontrols all unincorporated localities in Ventura County, California, a portion of the Ventura, California Defense-Rental Area.

2. Schedule A, Item 106, is amended to describe the counties in the defense-rental area as follows:

In Howard County, Center Township; and in Madison County, Lafayette Township and Anderson Township, except the Town of Edgewood.

This decontrols the remainder of Delaware County, Indiana, a portion of the Anderson, Indiana Defense-Rental Area, on the initiative of the Director of Rent Stabilization under section 204 (c) of the Housing and Rent Act of 1947, as amended.

3. In Schedule A of Rent Regulation 1—Housing, all of Item 190a which pertains to Class A accommodations is deleted.

This decontrols from Rent Regulation 1—Housing, the Borough of Medford Lakes in Medford Township in Burlington County, New Jersey, a portion of the Mount Holly-Lakehurst Defense-Rental Area.

4. Schedule A of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments, Item 190a, is amended to describe the counties in the defense-rental area as follows:

Burlington County, except the Townships of Bass River, Medford, Shamong, Tabernacle, Washington and Woodland, and the

Borough of Medford Lakes in Medford Township.

Ditto.

In Ocean County, the Townships of Berkeley, Brick, Dover, Jackson, Lakewood, Manchester and Plumsted, and the Boroughs of Beachwood, Island Heights, Lakehurst, Ocean Gate, Pine Beach and South Toms River.

This decontrols from Rent Regulation 2—Rooms in Rooming Houses and Other Establishments, the Borough of Medford Lakes in the Township of Medford in Burlington County, New Jersey, a portion of the Mount Holly-Lakehurst Defense-Rental Area.

5. Schedule A of Item 267, is amended to describe the counties in the defense-rental area as follows:

Allegheny County, except the Boroughs of Bethel, Churchill, Elizabeth and Rosslyn Farms, and the Townships of Crescent, Mount Lebanon, Ohio and Penn; Armstrong County; Beaver County, except the Township of Brighton; Lawrence County, except the Borough of New Wilmington; Westmoreland County; in Butler County, the City of Butler; Fayette County, except the Townships of Henry Clay, Stewart and Wharton; in Green County, the Townships of Cumberland, Dunkard, Franklin, Jefferson, Monongahela and Morgan; and Washington County, except the Townships of East Finley, Morris, South Franklin and West Finley.

That part of Beaver County North and East of the Ohio River, except the Townships of Economy, Harmony and Brighton, and the Boroughs of Ambridge, Baden and Conway.

In Beaver County, Brighton Township.

This decontrols the Borough of Churchill in Allegheny County, Pennsylvania, a portion of the Pittsburgh, Pennsylvania, Defense-Rental Area.

All decontrols effected by these amendments, except those in Item 2 thereof, are based on resolutions submitted in accordance with section 204 (j) (3) of Housing and Rent Act of 1947, as amended.

[F. R. Doc. 52-2856; Filed, Mar. 11, 1952; 8:52 a. m.]

[Rent Regulation 3, Amdt. 47 to Schedule A]

RR 3—HOTELS

SCHEDULE A—DEFENSE-RENTAL AREAS

NEW JERSEY

Effective March 12, 1952, Rent Regulation 3 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 7th day of March 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

Schedule A, Item 190 (a), is amended to describe the counties in the defense-rental area as follows:

Burlington County, except the Borough of Medford Lakes in Medford Township and the Townships of Bass River, Medford, Shamong, Tabernacle, Washington and Woodland; and in Ocean County, the Townships of Berkeley, Brick, Dover, Jackson, Lakewood, Manchester and Plumsted, and the Boroughs of Beachwood, Island Heights, Lakehurst, Ocean Gate, Pine Beach and South Toms River.

This decontrols the Borough of Medford Lakes in Medford Township in Burlington County, New Jersey, a portion of the Mount Holly-Lakehurst, New Jersey Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 52-2857; Filed, Mar. 11, 1952; 8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 811]

WYOMING

WITHDRAWING PUBLIC LANDS AND RESERVED MINERALS IN PATENTED LANDS FOR USE OF UNITED STATES ATOMIC ENERGY COMMISSION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The public lands and the minerals reserved to the United States in patented lands in the following-described areas in Wyoming are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for the use of the United States Atomic Energy Commission:

SIXTH PRINCIPAL MERIDIAN

T. 42 N., R. 75 W.,
Secs. 5 and 6.
T. 43 N., R. 75 W.,
Secs. 3 to 12, inclusive;
Secs. 15 to 22, inclusive;
Secs. 28 to 32, inclusive.
T. 44 N., R. 75 W.,
Secs. 31 to 34, inclusive.
T. 42 N., R. 76 W.,
Secs. 1 to 5, inclusive;
Secs. 7 to 11, inclusive;
Secs. 16 to 21, inclusive;
Secs. 29 and 30.
T. 43 N., R. 76 W.,
Secs. 1 to 5, inclusive;
Secs. 8 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 32 to 36, inclusive.
T. 44 N., R. 76 W.,
Secs. 11 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 32 to 36, inclusive.
T. 42 N., R. 77 W.,
Secs. 22 to 27, inclusive.

The areas described, including both public and non-public lands, aggregate approximately 65,343.29 acres.

Any tract or tracts of land within the above-described areas to which valid claims have attached under the public-land laws prior to the date of this order, are excluded from the reservation hereby made: *Provided, however,* That upon the abandonment or extinguishing of such claims for any cause, the reservation shall immediately become effective as to such tract or tracts and the minerals therein.

The reservation made by this order shall be subject to existing withdrawals affecting any of the lands.

OSCAR L. CHAPMAN,
Secretary of the Interior.

MARCH 7, 1952.

[F. R. Doc. 52-2902; Filed, Mar. 11, 1952; 9:01 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Ex. S. O. 874, Amdt. 2]

PART 95—CAR SERVICE

REQUIREMENTS FOR LOADING OF GRAIN PRODUCTS AND BYPRODUCTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of March A. D. 1952.

Upon further consideration of the provisions of Revised Service Order No. 874 (16 F. R. 2040, 3133, 9249), and good cause appearing therefor: *It is ordered,* That:

Section 95.874 Revised Service Order No. 874, *Requirements for loading of grain products and byproducts* be, and it is hereby, amended by substituting the following paragraph (h) hereof for paragraph (h) thereof:

(h) *Expiration date.* This order shall expire at 11:59 p. m., September 15, 1952, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 11:59 p. m., March 15, 1952; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-2858; Filed, Mar. 11, 1952; 8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 943]

[Docket No. AO 231-A1]

NORTH TEXAS MARKETING AREA

PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO THE ORDER REGULATING THE HANDLING OF MILK

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Junior Ball Room, Jefferson Hotel, 312 South Houston Street, Dallas, Texas, beginning at 10:00 a. m., c. s. t., March 17, 1952, for the purpose of receiving evidence with respect to emergency and other economic conditions which relate to the handling of milk in the North Texas marketing area and to the proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order regulating the handling of milk in the North Texas marketing area. These proposed amendments have not received the approval of the Secretary of Agriculture.

Amendments to the order for the North Texas marketing area have been proposed as follows:

By the North Texas Producers Association, Arlington, Texas:

1. Amend § 943.51 (a) to raise the differential from $2.00 over basic formula during all months of the year to $2.35 over basic formula during all months of the year.

2. Amend the provisions of the pricing section of this order to provide for the immediate use of the supply-demand adjustment factor, as a factor in computing the Class I price rather than the utilization of this factor on October 1, 1952, as currently provided in this order.

3. Consider the adoption of an emergency pricing provision for a period of twelve (12) months from date, to provide that the Class I price shall not in effect be less than $6.91 per 100 lbs. for 4 percent milk.

By Hugo Swan, Dallas, Texas, on behalf of Tennessee Dairies, Oak Farms Dairy Products, Inc., and Cabell's, Inc., et al.:

4. Amend § 943.51 paragraph (b) to read as follows:

(b) *Class II milk.* 50 cents per hundredweight less than the lower of the prices computed pursuant to § 943.50 (b) or (c) for the current month.

By Lamar Creamery Company, Paris, Texas:

5. Amend § 943.7 so as to limit the definition of "approved plant" to the facilities approved by health authorities for the handling of Grade A milk or milk products.

6. Consider such amendment of § 943.44 with respect to transfers of skim milk and butterfat as may be appropriated if the above proposal or any modification thereof is adopted.

By the Dairy Branch, Production and Marketing Administration:

7. Consider the amendment of § 943.73 so as to provide that the uniform price for base milk shall not exceed the Class I price, and that the uniform price for excess milk shall be the Class II price plus any amount which would otherwise serve to increase the uniform price for base milk above the Class I price.

8. Delete from § 943.50 (c) the following: "Fairmont Foods Co., Wichita Falls, Texas."

9. Make such other changes as may be required to make the entire order conform with any amendments thereto which may result from this hearing.

Copies of this notice of hearing, and the order now in effect, may be procured from the Market Administrator, 6619 Denton Drive, Dallas, Texas, or the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington 25, D. C., or may be there inspected.

Dated: March 10, 1952.

[SEAL] ROY W. LENNARTSON, *Assistant Administrator.*

[F. R. Doc. 52-2943; Filed, Mar. 11, 1952; 8:53 a. m.]

[7 CFR Part 951]

[Docket No. AO 135-A3]

HANDLING OF TOKAY GRAPES GROWN IN CALIFORNIA

NOTICE OF POSTPONED HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO THE MARKETING AGREEMENT AND ORDER

Notice is hereby given that the public hearing with respect to proposed amendments to the marketing agreement, as amended, and Order No. 51, as amended (7 CFR Part 951) regulating the handling of Tokay grapes grown in the State of California, has been postponed until March 31, 1952, beginning at 10:00 a. m., P. s. t., in the American Legion Hall, Lodi, California.

Such public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions relating to the proposed amendments which were set forth in the notice of hearing issued on February 12, and published in the FEDERAL REGISTER issue of February 16, 1952 (17 F. R. 1506). The hearing was originally scheduled on March 13, 1952, but was postponed to avoid conflict with other hearings to be held on the Pacific Coast.

Done at Washington, D. C., this 6th day of March 1952.

[SEAL] ROY W. LENNARTSON, *Assistant Administrator.*

[F. R. Doc. 52-2830; Filed, Mar. 11, 1952; 8:49 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 15268, Amdt.]

CONVERSION OFFICE FOR GERMAN FOREIGN DEBTS ET AL.

In re: Debts owing to and scrip owned by Conversion Office for German Foreign Debts, also known as Konversionskasse fuer Deutsche Auslandschulden, and/or others. F-28-1781-G-1.

Vesting Order 15268, dated October 18, 1950, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the Free State of Bavaria, also known as Freistaat Bayern, the City of Cologne, the City of Duisburg, the City of Munich, also known as Landeshauptstadt Munchen, the City of Nuremberg and the State of Wurttemberg are and on or since December 11, 1941, and prior to January 1, 1947, were political subdivisions of a designated enemy country (Germany);

2. That the Conversion Office for German Foreign Debts, also known as Konversionskasse fuer Deutsche Auslandschulden, and the issuers of the German dollar bond issues described in Exhibit A, set forth below and by reference made a part hereof, other than the issuers which are identified in subparagraph 1 hereof, whose last known addresses are Germany, are corporations, partnerships, associations, or other business organizations which on or since December 11, 1941, and prior to January 1, 1947, were organized under the laws of and had their principal places of business in Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

3. That the property described as follows:

a. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, in the aggregate amount of $56,330.02, as of March 28, 1946, represented by funds held by the aforesaid, The Chase National Bank of the City of New York, as special agent, for payment on coupons maturing between July 1, 1933, and June 30, 1934, both dates inclusive, detached from and/or appurtenant to the German dollar bond issues set forth in Exhibit A, set forth below and by reference made a part hereof, under offers of the aforesaid Conversion Office for German Foreign Debts to holders of such coupons, together with any and all accruals thereto and any and all rights to demand, enforce, and collect the same, less all lawful charges, by the said The Chase National Bank of the City of New York, against the said funds, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended, and

b. Those certain Reichsmark Certificates of Indebtedness of Conversion Office for German Foreign Debts, in the aggregate amount of approximately 253,075 R. M., said Certificates of Indebtedness having been offered by the said Conversion Office for German Foreign Debts along with the cash fund referred to in subparagraph 3a above in settlement of coupons, maturing between July 1, 1933, and June 30, 1934, both dates inclusive, detached from and/or appurtenant to the German dollar bond issues set forth in Exhibit A, set forth below and by reference made a part hereof, and being those Certificates of Indebtedness held for said Conversion Office by The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, and any and all rights thereunder and thereto,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by said Conversion Office for German Foreign Debts, the aforesaid national of a designated enemy country, (Germany) and/or a designated enemy country (Germany) and the other persons identified in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 2 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 6, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Free State of Bavaria (Freistaat Bayern) External Loan of 1925, 6½ Percent Serial Gold Bonds.

Free State of Bavaria (Freistaat Bayern) External Twenty-Year 6½ Percent Sinking Fund Gold Bonds due August 1, 1945.

Schleisische Landschaftliche Bank zu Breslau (Bank of Silesian Landowners Association in Breslau), First Mortgage Collateral 6 Percent Sinking Fund Gold Bonds due August 1, 1947.

Brandenburg Electric Power Company (Märkisches Elektrizitatswerk Aktiengesellschaft), First Mortgage Twenty-Five Year Sinking Fund 6 Percent Gold Bonds, External Loan of 1928, due May 1, 1953.

City of Cologne, Germany, Twenty-Five Year 6½ Percent Sinking Fund Gold Bonds, Municipal External Loan of 1925, due March 15, 1950.

Certificates of Participation in Commerz- und Privat-Bank Aktiengesellschaft, Ten-Year 5½ Percent Gold Notes due November 1, 1937.

(Gesfürel) Gesellschaft für Elektrische Unternehmungen, 6 Percent Sinking Fund Gold Debentures due June 1, 1953.

Berlin Electric Elevated and Underground Railways Company (Gesellschaft für Elektrische Hoch-und Untergrundbahnen in Berlin), Thirty-Year First Mortgage 6½ Percent Sinking Fund Gold Bonds due October 1, 1956.

City of Duisburg, Germany, 7 Percent Serial Gold Bonds of 1925.

Elektrowerke Aktiengesellschaft (Electric Power Corporation), First Mortgage Sinking Fund Gold Bonds 6½ Percent Series due 1950.

Elektrowerke Aktiengesellschaft (Electric Power Corporation), First Mortgage Sinking Fund Gold Bonds 6½ Percent Series due 1953.

German Consolidated Municipal Loan of German Savings Banks and Clearing Association (Deutscher Sparkassen-und Giroverband), Sinking Fund Secured Gold Bonds 6 Percent Series due June 1, 1947.

German Consolidated Municipal Loan of German Savings Banks and Clearing Association (Deutscher Sparkassen-und Giroverband), 7 Percent Sinking Fund Secured Gold Bonds, Series of 1926, due February 1, 1947.

City of Munich, Germany (Landeshauptstadt Munchen), 7 Percent Serial Gold Bonds of 1925.

City of Nuremberg, Germany, External Twenty-Five Year 6 Percent Sinking Fund Gold Bonds due August 1, 1952.

Prussian Electric Company (Preussische Elektrizitäts-Aktiengesellschaft), 6 Percent Sinking Fund Gold Debentures due February 1, 1954.

Silesia Electric Corporation (Elektrizitatswerk Schlesien Aktiengesellschaft), Sinking Fund Mortgage Gold Bonds 6½ Percent Series due 1946.

Stettin Public Utilities Company (Oeffentliche Werkbetriebe der Stadt Stettin G. m. b. H.) First (Closed) Mortgage Sinking Fund 7 Percent Gold Bonds due April 1, 1946.

United Industrial Corporation (VIAG) (Vereinigte Industrie-Unternehmungen Aktiengesellschaft), Hydro-Electric First (Closed) Mortgage 6 Percent Sinking Fund Gold Bonds due December 1, 1945.

State of Wurttemberg, Consolidated Municipal External Loan of 1925 Seven Per Cent, Serial Gold Bonds.

Westphalia United Electric Power Corporation (Vereinigte Elektrizitätswerke Westfalen, G. m. b. H.), First Mortgage 6 Percent Sinking Fund Gold Bonds, Series "A" due January 1, 1953.

United Industrial Corporation (Germany), 6½ Percent Sinking Fund Gold Debentures due November 1, 1941.

Pommerania Electric Company (Germany), Sinking Fund Mortgage Gold Bonds Series due May 1, 1953.

East Prussian Power Company (Germany), First Mortgage Sinking Fund Gold Bonds 6 Percent Series due June 1, 1953.

[F. R. Doc. 52-2859; Filed, Mar. 11, 1952; 8:52 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 61587]

MONTANA

ORDER PROVIDING FOR THE OPENING OF PUBLIC LANDS RESTORED FROM THE MILK RIVER PROJECT

MARCH 5, 1952.

An order of the Bureau of Reclamation dated April 16, 1951, concurred in by the Associate Director, Bureau of Land Management, May 29, 1951, revoked the Departmental orders of February 2, 1903, December 30, 1903, January 19, 1904 and May 24, 1921, so far as they withdrew under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described land in connection with the Milk River Project, Montana, and provided that such revocation shall not effect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

PRINCIPAL MERIDIAN

T. 32 N., R. 23 E.,
Sec. 24, NE¼, E½NW¼, NE¼SE¼.
T. 31 N., R. 24 E.,
Sec. 3, lot 6;
Sec. 4, lot 9;
Sec. 6, lot 1;
Sec. 12, lots 5 and 8;
Sec. 13, lots 1, 2, and 3.
T. 32 N., R. 24 E.,
Sec. 31, lots 5, 6, and 7.
T. 31 N., R. 25 E.,
Sec. 5, N½SW¼;
Sec. 6, SW¼SE¼;
Sec. 8, NW¼NW¼;
Sec. 9, E½NE¼;
Sec. 10, W½NW¼, NE¼, NW¼SE¼;
Sec. 11, SE¼SW¼;
Sec. 13, N½NW¼;
Sec. 17, lot 3;
Sec. 18, lot 8;
Sec. 21, lots 2 and 5.
T. 28 N., R. 39 E.,
Sec. 3, lot 3.
T. 29 N., R. 39 E.,
Sec. 32, lots 12, 14, and 15.

The above areas aggregate 1,412.67 acres.

The lands are chiefly valuable for grazing.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as

valuable or suitable for such type of application, or shall be so classified upon the consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Billings, Montana, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Billings, Montana.

WILLIAM PINCUS,
Assistant Director.

[F. R. Doc. 52-2811; Filed, Mar. 11, 1952; 8:45 a. m.]

[Misc. 61637]

OREGON

ORDER PROVIDING FOR THE OPENING OF PUBLIC LANDS RESTORED FROM THE DESCHUTES PROJECT

MARCH 5, 1952.

An order of the Bureau of Reclamation dated April 23, 1951, concurred in by the Acting Director, Bureau of Land Management, May 16, 1951, revoked the Departmental order of April 26, 1909, so far as it withdrew under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described land in connection with the Deschutes Project, Oregon, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

WILLAMETTE MERIDIAN

T. 23 S., R. 6 E., unsurveyed, all Township.

The above areas aggregate approximately 23,040 acres.

The lands are in the Deschutes and Willamette National Forests, and subject to valid existing rights and the provisions of existing withdrawals, will become subject to the public-land laws relating to National forest lands at 10:00 a. m. on the 35th day from the date of this order.

WILLIAM PINCUS,
Assistant Director.

[F. R. Doc. 52-2813; Filed, Mar. 11, 1952; 8:45 a. m.]

[Misc. 62663]

WYOMING

ORDER PROVIDING FOR THE OPENING OF PUBLIC LANDS RESTORED FROM THE KENDRICK PROJECT

MARCH 5, 1952.

An order of the Bureau of Reclamation dated October 25, 1951, concurred in by the Assistant Director, Bureau of Land Management, November 20, 1951, revoked the Departmental orders of September 6, 1934 and October 6, 1933, so far as they withdrew under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described land in connection with the Kendrick Project, Wyoming, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

SIXTH PRINCIPAL MERIDIAN

T. 30 N., R. 81 W.,
Sec. 5, E½SW¼.
T. 32 N., R. 81 W.,
Sec. 18, S½.
T. 33 N., R. 81 W.,
Sec. 18, W½SE¼.
T. 30 N., R. 82 W.,
Sec. 11, N½NW¼.
Sec. 9, lots 5 and 6 (SW¼SE¼).

The above area aggregates 600 acres.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application.

The following-described lands were designated as subject to the act of August 11, 1916 (39 Stat. 506; 43 U. S. C. 621 et seq.) as amended by section 3 of the act of May 15, 1922 (42 Stat. 541; 12 U. S. C. 773) by section 18 of a contract dated August 3, 1935, between the United States of America and the Casper Alcova Irrigation District, and any disposal of such lands authorized by the public land laws will be subject to any lien for assessments under said contract:

T. 32 N., R. 81 W.,
Sec. 18, NW¼SW¼.
T. 33 N., R. 81 W.,
Sec. 18, W½SE¼.
T. 30 N., R. 82 W.,
Sec. 9, lots 5 and 6 (SW¼SE¼).

The following-described land is included in a Federal land exchange program, and has been classified as suitable for exchange purposes only:

T. 33 N., R. 81 W.,
Sec. 18, W½SE¼.

The land last above described is included in Casper-Alcova Irrigation District contract.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284),

as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Cheyenne, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Cheyenne, Wyoming.

WILLIAM PINCUS,
Assistant Director.

[F. R. Doc. 52-2812; Filed, Mar. 11, 1952; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Forest Service

FREMONT NATIONAL FOREST

REMOVAL OF TRESPASSING HORSES

Whereas a number of horses are trespassing and grazing on the Fremont National Forest, State of Oregon; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472), the following order is issued for the occupancy, use, protection, and administration of land in the Fremont National Forest:

Temporary closure from livestock grazing. (a) The Fremont National Forest is hereby closed for the period March 15, 1952, to June 30, 1953, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such national forest pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Fremont National Forest is located.

Done at Washington, D. C., this 6th day of March 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2829; Filed, Mar. 11, 1952; 8:48 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

[Case No. 123]

CROTON TRADING CO., INC., ET AL.

ORDER DENYING EXPORT PRIVILEGES

In the matter of: Croton Trading Co., Inc., William E. Bialick, Croton Trading Company, 136 Liberty Street, New York 6, New York, respondents; Case No. 123.

This proceeding was begun by the issuance of a charging letter, dated July 12, 1951, and amended February 1, 1952, wherein the Office of International Trade charged the above-named respondents, and two former officers of Croton Trading Co., Inc. (neither of whom is identified by name herein as compliance action is still pending against one and the other has been absolved of the charges), with having violated section 6 of the act of July 2, 1940, and the Export Control Act of 1949, as amended, and the regulations issued thereunder.

The amended charging letter of February 1, 1952, alleged that Croton Trading Co., Inc., William E. Bialick, and said other officers, exported to Canada between March and May 1948, a total of 2,467 reels of barbed wire, valued at $23,761, with the knowledge and intention that such barbed wire was to be reexported from Canada to Cuba, when respondents knew that such exportation to Cuba required a validated export license and that they did not possess any such license. It was alleged that respondents, in order to effect the aforesaid exportations, made and caused to be made false statements and representations in Shipper's Export Declarations: To wit, that the ultimate consignees and purchasers were the parties in Canada named therein and that the country of ultimate destination was Canada.

It was further alleged that from June 1948 through April 1949, respondents submitted and caused to be submitted to the Office of International Trade a number of applications for validated licenses to export various steel and tinplate products to two designated companies in Caracas, Venezuela, as the purported ultimate consignees and purchasers. Respondents in each instance, in pretended compliance with the export control regulations, submitted and caused to be submitted with each of the applications documents which were represented to be accepted orders from each of the alleged Venezuelan firms, when respondents knew that both such Venezuelan firms were nonexistent, mere names conceived and used by them for the purpose of attempting to export such licensed commodities from the United States to representatives of Croton Trading Co., Inc., then in Venezuela. In reliance on the representations contained in the applications, the Office of International Trade issued two validated licenses, and exportations pursuant thereto were made to Venezuela. By such actions, respondents knowingly failed to state the true nature of the export transactions and submitted documents containing false representations and certifications to the Office of International Trade.

It was further alleged that said William E. Bialick, doing business as Croton Trading Company (successor to Croton Trading Co., Inc., which began liquidation November 1950) in July 1951 knowingly submitted two applications to the Office of International Trade to export a total of 30,900 pounds of galvanized wire to Peru without having specific orders for export for each transaction supported by documentary evidence thereof, and without any basis for making the end-use statements set forth in those applications.

Respondents William E. Bialick, Croton Trading Company, and Croton Trading Co., Inc., which corporation is now in liquidation, after receiving the said amended charging letter, and following discussions by their counsel and

Mr. Bialick with officials of the Office of International Trade and with Compliance Commissioner Paul M. Greene, submitted to the Office of International Trade, with the advice of and through their counsel, a statement in which they admitted, for the purposes of this compliance proceeding only, the charges set forth in the aforesaid letter of February 1, 1952, waived all right to an oral hearing on such charges, and consented to the entry of an order, the terms of which are set forth hereinbelow. The case against the former officer of Croton Trading Co., Inc., is presently being considered and will be the subject of a separate order.

The amended charging letter, evidentiary material relating to the charges set forth therein, and the above-mentioned proposal for a consent order have been submitted to the Compliance Commissioner for review. Upon the basis of such review, and upon the informal presentation of the facts, including mitigating circumstances claimed by respondents, at the conference with counsel for the Office of International Trade and with said respondents and their counsel, the Compliance Commissioner has found the terms and conditions of the proposed order as consented to by the respondents to be fair and reasonable, and he has recommended that such order be issued.

The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the charging letter, the evidentiary material, and the proposals for a consent order. It appears therefrom that such findings and recommendations are in accordance with the evidence and that such recommendations are reasonable and should be adopted. *Now, therefore, it is ordered,* As follows:

(1) Respondents Croton Trading Co., Inc., William E. Bialick, Croton Trading Company, and each of them, are hereby denied and declared ineligible to exercise the privileges of participating directly or indirectly in any manner or capacity in the exportation of any commodity from the United States to any foreign destination pursuant to validated export licenses. Such denial of export privileges is deemed to include and prohibit direct or indirect participation (a) as a party or as a representative of a party to any validated export license application, (b) in the obtaining or using of validated export licenses and any export control documents relating thereto, (c) in the receiving of any exportation from the United States exported pursuant to a validated export license, and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States to any destination pursuant to any validated export license. Respondents are further prohibited from participating directly or indirectly in any manner or capacity in the exportation of any commodity from the United States to Canada. They are not prohibited hereby from participating in any general license exportations from the United States.

(2) Such denial of export privileges shall extend not only to the named respondents, but also to any person, firm, corporation or other business organization with which they or any of them may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States to Canada, or exports to other destinations under validated export licenses, or services connected therewith.

(3) This order shall extend for a period of eighteen (18) months from the date hereof: *Provided, however,* That upon the expiration of six (6) months from the date of this order, the order shall be suspended for the balance of the eighteen (18) months and the export privileges denied herein shall be restored to respondents. In the event, however, that respondents or any one of them shall at any time during the eighteen (18)-month period covered by this order knowingly violate any of the provisions of this order or any of the regulations of the Office of International Trade, the Office of International Trade may summarily at such time as it determines such violation occurred, issue an order which denies to the respondent or respondents who have violated all export privileges for the full twelve (12)-month period which has been suspended, without limiting thereby the Office of International Trade from instituting any further action based on such violation.

(4) No person or business organization shall knowingly (a) apply for or obtain any validated license, shipper's export declaration, bill of lading, or other export control document relating to any exportation of commodities from the United States to Canada or to any other destination under a validated license, to or for any of the afore-stated respondents or those persons and business organizations covered in paragraph (2) hereinabove; or (b) order, receive, service, or otherwise act as a party or as a representative of a party to any exportation of commodities from the United States to Canada or to any other destination under a validated license, in such manner that any of the aforestated respondents or those persons and business organizations covered in paragraph (2) hereinabove will directly or indirectly obtain any benefit therefrom, without prior disclosure of such facts to, and the specific authorization of the Office of International Trade.

Dated: March 7, 1952.

JOHN C. BORTON,
Assistant Director for Export Supply.

[F. R. Doc. 52-2862; Filed, Mar. 11, 1952; 8:53 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5124 et al.]

NATIONAL AIRLINES, INC., ET AL.; NEW ENGLAND-SOUTHERN STATES MERGER INVESTIGATION

NOTICE OF HEARING

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 408, 1001, and 1002 (b) of said act, that public hearings in the above-entitled proceedings are hereby assigned to be held on April 15, 1952, at 10:00 a. m., e. s. t., in Conference Room B, Departmental Auditorium, between Twelfth and Fourteenth Streets on Constitution Avenue NW., Washington, D. C., before Examiner Edward T. Stodola.

Without limiting the scope of the issues involved in these proceedings, particular attention will be directed to the following matters:

1. Whether any one or more of the following actions, upon just and reasonable terms and conditions, would be in the public interest and in accordance with the public convenience and necessity as defined in section 2 of the aforesaid Civil Aeronautics Act:

(a) The combination of National Airlines, Inc., with Colonial Airlines, Inc., and/or Northeast Airlines, Inc., by means of merger, consolidation, acquisition of control, route transfer or in any other lawful manner;

(b) The combination of Delta Air Lines, Inc., with Northeast Airlines, Inc., and/or Colonial Airlines, Inc., with the transfer to one of said combined carriers, or a corporation resulting from the combination, of the authority of Capital Airlines, Inc., to engage in air transportation on all or part of Routes Nos. 55 and 51; by means of merger, consolidation, acquisition of control, route transfer or in any other lawful manner.

2. Whether the joint application, as amended, of Delta Air Lines, Inc., and Northeast Airlines, Inc., Docket No. 4717, under sections 408 and 401 (i) of the Civil Aeronautics Act and such other sections thereof as may be applicable, for approval of merger agreement, dated October 17, 1950, should be approved;

3. Whether the joint application of Colonial Airlines, Inc., and National Airlines, Inc., Docket No. 5258, under sections 408 and 412 of the Civil Aeronautics Act and such other sections thereof as may be applicable, for approval of an agreement to combine said two carriers, should be approved.

Notice is further given that any person not a party of record desiring to be heard in support or opposition to questions involved in these consolidated proceedings must file with the Board on or before May 15, 1952, a statement setting forth the matters of fact or law which he desires to advance. Any person filing such a statement may appear at the hearings in accordance with § 302.6 (a) of the Board's procedural regulations under Title IV of the Civil Aeronautics Act, as amended.

For further details regarding these proceedings and the issues involved therein all interested parties are referred to the applications under Dockets Nos. 4717 and 5258, Board Orders Serial Nos. E-5703, E-5681, E-5979 and E-6080, and the Examiner's Report of Prehearing Conference, served December 11, 1951. Each of the foregoing documents is on file with the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D. C., March 7, 1952.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-2860; Filed, Mar. 11, 1952; 8:52 a. m.]

[Docket No. 5376]

BRANIFF-MID-CONTINENT MERGER CASE

NOTICE OF HEARING

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 401 (i), 408, 412, and 1001 of said act that a public hearing in the above-entitled proceeding is assigned to be held on March 19, 1952, at 10:00 a. m. in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner William J. Madden.

Without limiting the scope of the issues presented by the pleadings in this proceeding, particular attention will be directed to whether the merger of Braniff Airways, Inc., and Mid-Continent Airlines, Inc., and the transfer of the certificates of public convenience and necessity, now held by each carrier to the merged company, are consistent with the public interest.

For further details of the issues involved, interested parties are referred to the documents on file with the Civil Aeronautics Board in the above-entitled docket number.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding shall file with the Board on or before March 19, 1952, a statement setting forth the issues of fact or law raised by this proceeding which he desires to controvert.

Dated at Washington, D. C., March 7, 1952.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-2898; Filed, Mar. 11, 1952; 8:53 a. m.]

[Docket No. 2375]

TRANS WORLD AIRLINES, INC.; TRANS-ATLANTIC MAIL RATE

NOTICE OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Trans World Airlines, Inc., in its transatlantic operations, and the Board's show cause order Serial No. E-5696.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on March 27, 1952, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., March 7, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-2861; Filed, Mar. 11, 1952; 8:52 a. m.]

DEFENSE PRODUCTION ADMINISTRATION

[D. P. A. Request No. 28]

REQUEST TO SPECIFIED FINISHES, INC., TO OPERATE AS SMALL BUSINESS ENTERPRISE PRODUCTION POOL AND REQUEST TO CERTAIN COMPANIES TO PARTICIPATE IN OPERATIONS OF SUCH POOL

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request to Specified Finishes, Inc., to operate as a small business enterprise production pool, and the request to the companies listed below to participate in the operations of such pool, set forth below, were approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Administrator of the Defense Production Administration. The voluntary program in accordance with which the pool shall operate has been approved by the Administrator of the Defense Production Administration and found to be in the public interest as contributing to the national defense.

REQUEST TO SPECIFIED FINISHES, INC.

You are requested to operate as a small business enterprise production pool in accordance with the Voluntary Program set forth in the papers submitted to the Department of Commerce, Pooling Section, Office of Small Business, Washington, D. C., as amended by your letters of January 9, 1952, and February 1, 1952.

In my opinion, the operations of your corporation as a small business enterprise production pool will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 of the Defense Production Act of 1950, as amended.

I approve the voluntary program, as amended, and find it to be in the public interest as contributing to the national defense. You may commence your operations as a small business enterprise production pool upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance, provided that such operations are within the limits set forth in the approved Voluntary Program, as amended.

Your cooperation in this matter will be appreciated.

Sincerely yours,

MANLY FLEISCHMANN,
Administrator.

REQUEST TO COMPANIES

You are requested to participate in the operations of Specified Finishes, Inc., which will operate as a small business enterprise production pool in accordance with the voluntary program, as amended, set forth in the papers submitted by Specified Finishes, Inc., to the Department of Commerce, Pooling Section, Office of Small Business, Washington, D. C.

In my opinion, your participation in the operations of this small business enterprise production pool will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 of the Defense Production Act of 1950, as amended.

I approve the voluntary program, as amended, and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance, provided that the operations of this production pool and your participation therein are within the limits set forth in the approved voluntary program, as amended.

Your cooperation in this matter will be appreciated.

Sincerely yours,

MANLY FLEISCHMANN,
Administrator.

Specified Finishes, Inc., accepted the request set forth above to operate as a small business enterprise production pool.

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Bradley & Vrooman Co., 2629 South Dearborn Street, Chicago, Ill.

The Clinton Co., 1210 Elston Avenue, Chicago, Ill.

V. J. Dolan & Co., Inc., 1830 North Laramie Avenue, Chicago, Ill.

Elliott Paint & Varnish Co., 4525 Fifth Avenue, Chicago, Ill.

Jewell Paint & Varnish Co., 345 North Western Avenue, Chicago, Ill.

G. J. Nickolas & Co., Inc., 2800 Washington Boulevard, Bellwood, Ill.

Frederick A. Stresen-Reuter, Inc., 2113 Medill Avenue, Chicago, Ill.

(Sec. 708, 64 Stat. 818, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Supp. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

Dated: March 10, 1952.

MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 52-2974; Filed, Mar. 11, 1952; 11:23 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9345]

JAMES CULLEN LOONEY (KURV)

ORDER CONTINUING HEARING

In re application of James Cullen Looney (KURV), Edinburg, Texas, for construction permit; Docket No. 9345, File No. BP-6473.

The Commission having under consideration the date on which further hearing upon the above-entitled application is scheduled to commence, namely, March 13, 1952;

It appearing, that on February 26, 1952, the Chief of the Commission's Broadcast Bureau filed a formal request for clarification of the issues governing the proceeding, as set forth in the Commission's remanding order herein which was released on December 19, 1951;

It appearing further, that it is appropriate to continue the said further hearing without date, pending Commission action upon the request aforementioned;

It is ordered, This 3d day of March 1952, upon the Commission's own motion, that the hearing on the above-entitled application, which is presently scheduled for March 13, 1952, is continued until further order.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2846; Filed, Mar. 11, 1952; 8:49 a. m.]

[Docket No. 9967]

PEOPLES BROADCASTING CORP. (WOL)

ORDER CONTINUING HEARING

In re application of Peoples Broadcasting Corporation (WOL), Washington, D. C., for renewal of license of synchronous amplifier located in Silver Spring, Maryland; Docket No. 9967, File No. BR-1130.

The Commission having under consideration a petition, filed March 4, 1952, by Peoples Broadcasting Corporation (WOL), Washington, D. C., for a continuance of approximately ninety days from the presently scheduled hearing date of March 10, 1952, in the above-entitled matter; and

It appearing, that applicant has pending before the Commission an application (File No. BP-7873) requesting a construction permit to operate Station WOL on the frequency 1060 kc with 5 kw power, from a new transmitter site and employing a directional antenna day and night; that recently this application was amended and removed from the hearing docket and is presently at or near the head of the Commission's processing line; that if this application for construction permit is granted, the instant proceeding involving the renewal of license of the synchronous amplifier will be rendered moot since there will be no need for such an amplifier with the proposed 5 kw application; that it would conduce to the ends of justice and to the dispatch of the Commission's business to continue the hearing in the above-entitled proceeding until after action by the Commission upon the aforesaid application of petitioner for construction permit; and

It further appearing, that there are no other parties involved in this proceeding, no person would be adversely affected by a grant of the continuance as requested and counsel for the Broadcast Bureau of the Commission has consented to a waiver of § 1.745 of the Commission's rules so as to permit immediate consideration of this petition and has consented to a grant thereof:

Wherefore, it is ordered, This 5th day of March 1952, that the petition of Peoples Broadcasting Corporation (WOL) for continuance is granted, and the hearing in the above-entitled matter, now scheduled for March 10, 1952, is continued to 10:00 a. m., Monday, June 9, 1952, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2847; Filed, Mar. 11, 1952; 8:50 a. m.]

[Docket No. 10142]

CORN BELT PUBLISHERS, INC. (WAAF-FM)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Corn Belt Publishers, Inc. (WAAF-FM), Chicago, Illinois, for renewal of license; Docket No. 10142, File No. BRH-521.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of February 1952;

The Commission having under consideration the above-entitled application of Corn Belt Publishers, Inc. for renewal of license of Station WAAF-FM, Chicago, Illinois; and

It appearing, that the said licensee responded to the Commission's "Questionnaire Concerning the Broadcasting of Horse Racing Information" that it broadcasts horse racing information on a regular basis during afternoon broadcast hours; and

It further appearing, that these broadcasts of horse racing information during the afternoon hours may be of aid to illegal gambling activities; and

It further appearing, that these broadcasts of horse racing information may preclude the rendition by the above licensee of a well-rounded program service which meets the needs and interests of the community it is licensed to serve; and

It further appearing, that, in view of the foregoing, the Commission is unable to determine whether a grant of the said application would be in the public interest;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine whether, to what extent, and the manner in which the subject station has broadcast, is currently broadcasting and proposes to broadcast the following information relating to horse racing:

(a) Entries.
(b) Scratches.
(c) Probable jockeys.
(d) Jockey changes.
(e) Winning jockey.
(f) Weights.
(g) Selections.
(h) Off-time.
(i) Next post time.
(j) Track conditions.
(k) Weather conditions.
(l) Time of race.
(m) Mutuels or prices paid.
(n) Results of race.
(o) Results in code.
(p) Post positions.
(q) Running account of race.
(r) Pre-race betting odds.

2. To determine the manner in which the station obtains the above information.

3. To determine whether the broadcast of horse racing information by this station appears likely to be of substantial use to, or is used by persons engaged in illegal gambling activities.

4. To determine (a) the sponsorship, if any, of programs offering horse racing information, (b) the arrangements between the sponsors and the licensee for the handling of the broadcasts of horse racing information, and (c) whether and to what extent these arrangements have been or are being carried out.

5. To determine the arrangements, or commitments, if any, entered into by this station with persons engaged in illegal gambling activities for the broadcast of horse racing information, and the extent to which those arrangements or commitments are being met.

6. To ascertain whether the licensee in this proceeding has had discussions or dealings with any other broadcast station, with respect to the manner in which broadcasts of horse racing information should be handled, and to determine the outcome of such discussions or dealings.

7. To determine what instructions, if any, have been given by the licensee to its employees concerning the manner in which horse racing information is to be handled.

8. To determine what steps, if any, have been taken, and the manner in which such steps were taken by the licensee to ascertain the nature of the listening interests being served by the broadcast of horse racing information.

9. To determine the effect of the broadcast of horse racing information upon the station's overall programming.

10. To determine, on the basis of the evidence adduced pursuant to the foregoing issues, whether a grant of the above-entitled renewal application would be in the public interest.

It is further ordered, That a temporary extension of license is granted for operation of Station WAAF-FM until June 1, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2848; Filed, Mar. 11, 1952; 8:50 a. m.]

[Docket No. 10143]

SCHOOL OF RADIO ARTS (KSRT)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Don C. Martin tr/as School of Radio Arts (KSRT), for modification of construction permit to change class of station from A to B and to change location; Docket No. 10143, File No. BMPH-4322.

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 27th day of February 1952;

The Commission having under consideration the above-entitled application to modify the construction permit (BPH-1105) which authorized a new Class A FM station at Beverly Hills, California, to change Class of Station from A to B and change location from Beverly Hills to Los Angeles, California and to make certain other changes; and

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station KSRT as proposed, that no interference would be caused to any existing or proposed station but that the proposed station may not comply with the Standards of Good Engineering Practice; particularly with reference to coverage of the City of Los Angeles, California and the Los Angeles Metropolitan District;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be designated in a subsequent order, upon the following issue:

To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning FM Broadcast Stations with particular reference to coverage of the City of Los Angeles, California and the Los Angeles Metropolitan District.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2849; Filed, Mar. 11, 1952; 8:50 a. m.]

[Docket No. 10144]

LAFOLLETTE BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of LaFollette Broadcasting Company, Inc., LaFollette, Tennessee, for construction permit; Docket No. 10144, File No. BP-8033.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of February 1952.

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1450 kc, with 250 w power, unlimited time, at LaFollette, Tennessee.

It appearing, That the applicant is legally, technically, financially, and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station WCRK, Morristown, Tennessee, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Cherokee Broadcasting Corporation, licensee of Station WCRK, Morristown, Tennessee, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2850; Filed, Mar. 11, 1952; 8:50 a. m.]

[Docket Nos. 10145, 10146]

INDIAN RIVER BROADCASTING CO. AND JAMES ROBERT MEACHEM (WEAT)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Indian River Broadcasting Company, Vero Beach, Florida, Docket No. 10145, File No. BP-8337; James Robert Meachem (WEAT), Palm Beach, Florida, Docket No. 10146, File No. BP-8179; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of February 1952;

The Commission having under consideration the above-entitled application of Indian River Broadcasting Company for construction permit for a new standard broadcast station to operate on 1490 kc, with 100 watts, unlimited time, at Vero Beach, Florida; and the application of James Robert Meachem for a construction permit to move station WEAT, 1490 kc, 250 watts, unlimited time from Lake Worth, Florida to Palm Beach, Florida;

It appearing, That James Robert Meachem and the Indian River Broadcasting Company are presently broadcast licensees and that their legal qualifications have previously been established.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be later specified upon the following issues:

1. To determine the technical, financial and other qualifications of James Robert Meachem and the Indian River Broadcasting Company, its officers, directors, and stockholders to construct and operate the proposed Palm Beach and Vero Beach stations respectively.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed Vero Beach station would involve objectionable interference with Station WEAT, Lake Worth, Florida, as licensed, and Station WMOG, New Brunswick, Georgia, or any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference, in the application of James Robert Meachem, to excessive blanket area populations and the devious and the public path of the transmission line between the transmitter and antenna.

7. To determine whether the proposed move of Station WEAT from Lake Worth, Florida, to Palm Beach, Florida, would result in a fair, efficient and equitable distribution of radio service to the communities concerned as provided in section 307 (b) of the Communications Act of 1934, as amended.

8. To determine the overlap, if any, which would exist between the service areas of the station proposed by the Indian River Broadcasting Company and of Station WIRA, Fort Pierce, Florida, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.25 of the Commission's rules.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That Coastal Broadcasting Company, licensee of Station WMOG, Brunswick, Georgia, is made a party to this proceeding, with regard to the Indian River Broadcasting Company application only.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2851; Filed, Mar. 11, 1952; 8:50 a. m.]

[Docket No. 10147, 10148]

CHARLES D. McNAMEE AND FRANCES FRIERSON McNAMEE, AND WIHL BROADCASTING CO. (WIHL)

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATING HEARING ON STATED ISSUES

In re applications of Charles D. McNamee and Frances Frierson McNamee, New Orleans, Louisiana, Docket No. 10147, File No. BP-7492; Sidney S. Rosenblum and Forrest E. Curnutt, d/b as WIHL Broadcasting Company (WIHL), Hammond, Louisiana, Docket No. 10148, File No. BP-8355; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of February 1952;

The Commission having under consideration the above-entitled application of Charles D. McNamee and Frances Frierson McNamee for a new standard broadcast station to operate on 1400 kc, with 250 w power, unlimited time, at New Orleans, Louisiana, contingent on the cessation of station WLCS operation on 1400 kc, and the application of Sidney S. Rosenblum and Forrest E. Curnutt, d/b as WIHL Broadcasting Company to change facilities of Station WIHL, Hammond, Louisiana from 730 kc, 250 w, daytime only, to 1400 kc, 250 w, unlimited time.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership (BP-7492) and its partners to operate the proposed station and the technical, financial and other qualifications of the applicant partnership (BP-8355) and its partners to operate Station WIHL as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed station and Station WIHL as proposed, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station and Station WIHL as proposed would involve objectionable interference with Stations WFOR, Hattiesburg, Mississippi, WPCF, Panama City, Florida, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operations of the proposed station and Station WIHL as proposed would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installations and operations of the proposed station and Station WIHL as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That, Forrest Broadcasting Company, Incorporated, licensee of Station WFOR, Hattiesburg, Mississippi, is made a party to this proceeding with respect to the WIHL application only and Bay County Broadcasting Company, Inc., licensee of Station WPCF, Panama City, Florida, is made a party to this proceeding with respect to the New Orleans application only.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2852; Filed, Mar. 11, 1952; 8:50 a. m.]

[Docket No. 10149]

WILLIAM C. GROVE

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of William C. Grove, Wheatland, Wyoming, for reinstatement of construction permit; Docket No. 10149, File No. BP-8338.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of February 1952;

The Commission having under consideration the above-entitled application William C. Grove requesting reinstatement of construction permit for a new standard broadcast station to operate on 800 kc, with 1 kw power, daytime only, at Wheatland, Wyoming.

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, except as to matter covered by Issue No. 1 below, and that no interference would be caused to any existing or proposed station.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified by subsequent order, upon the following issue:

1. To determine the overlap, if any, that will exist between the service areas of the proposed station and of Station KFBC, Cheyenne, Wyoming, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2853; Filed, Mar. 11, 1952; 8:51 a. m.]

[Designation Order 67]

DESIGNATION OF MOTIONS COMMISSIONER

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 27th day of February 1952;

It is ordered, Pursuant to § 0.111 of the Statement of Delegations of Authority, that Robert F. Jones, Commissioner, is hereby designated as Motions Commissioner for the month of March 1952.

It is further ordered, That in the event said Motions Commissioner is unable to act during any part of said period the Chairman or Acting Chairman will designate a substitute Motions Commissioner.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-2854; Filed, Mar. 11, 1952; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1336, G-1573, G-1614, G-1808, G-1839, G-1848]

EAST TENNESSEE NATURAL GAS CO. ET AL.

ORDER REOPENING PROCEEDINGS, CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

FEBRUARY 26, 1952.

In the matters of East Tennessee Natural Gas Company, Docket No. G-1336; Tennessee Gas Transmission Company, Docket No. G-1573; Tennessee Gas Transmission Company and United Natural Gas Company, Docket No. G-1614; The Manufacturers Light and Heat Company and United Fuel Gas Company, Docket No. G-1808; Republic Light, Heat and Power Company, Inc., Docket No. G-1839; City of Clarksville, Tennessee, Docket No. G-1848.

On March 7, 1950, East Tennessee Natural Gas Company (East Tennessee), a Tennessee corporation having its principal place of business at Chattanooga, Tennessee, filed an application, as amended on July 5 and July 30, 1951, in Docket No. G-1336, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 100 miles of 16-inch O. D. natural-gas transmission

pipeline extending from a point of connection with its existing 16-inch pipeline near Knoxville, Tennessee, to a point located approximately 8 miles south of Kingsport, Tennessee, and approximately 63½ miles of 4-inch I. D., 8-inch I. D., and 12¾-inch O. D. lateral pipelines, together with other appurtenant facilities. By means of said facilities East Tennessee proposes to deliver and sell natural gas for resale in the communities of Morristown, Johnson City, Elizabethton, Bristol, Jefferson City, Greenville and Kingsport, Tennessee, and in Bristol, Virginia, and to deliver and sell natural gas directly to 10 industrial customers. Said natural-gas facilities are fully described in East Tennessee's application and the amendments thereto on file with the Commission and open to public inspection. Due notice of the filing of East Tennessee's original application has been given, including publication in the FEDERAL REGISTER on March 15, 1950 (15 F. R. 1470). Due notice of the filing of the amended application filed with the Commission on July 5, 1951, has been given, including publication in the FEDERAL REGISTER on July 25, 1951 (16 F. R. 7304).[1]

On January 17, 1952, Tennessee, a Delaware corporation having its principal place of business at Houston, Texas, filed a petition to reopen the consolidated proceedings at Docket Nos. G–1573 and G–1614 for the purpose of:

(a) Presenting new and additional evidence in Docket No. G–1573, thereby amending the original application in said docket and seeking, in the reopened proceedings, a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of: Approximately 591 miles of parallel loop pipeline along Tennessee's presently authorized natural-gas transmission system, consisting of approximately 323 miles of 30-inch O.D., 167 miles of 26-inch O.D., and 101 miles of 24-inch O.D. pipeline; approximately 304 miles of 24-inch O. D. natural-gas pipeline, to be known as the Mercer-Utica line, extending from Tennessee's presently authorized compressor station near Mercer, Pennsylvania, in a northeasterly direction to Tennessee's presently authorized compressor station near Utica, New York; new compressor units aggregrating approximately 137,000 horsepower, together with other related facilities, to be installed in Tennessee's presently existing or authorized compressor stations; new compressor stations with approximately 28,000 horsepower capacity installed; and approximately 250 miles of miscellaneous lateral pipelines; and

(b) Applying for the reissuance of the certificate of public convenience and necessity issued to Tennessee by the terms of the Commission's order issued on June 1, 1951, as modified by the order issued August 27, 1951, in Docket No. G–1614.[2]

The proposed new facilities will increase the daily design delivery capacity of Tennessee's system from the presently authorized total of 1,310,000 Mcf of natural gas to approximately 1,515,000 Mcf, and will increase the peak-day delivery capacity of Tennessee's system to 1,715,000 Mcf. Said increased system capacity provides, among other things, up to an additional 40,000 Mcf of natural gas per day for East Tennessee in order to enable that company to serve the utility requirements of its so-called Bristol market area as applied for in Docket No. G–1336. Said proposed natural-gas facilities are fully described in Tennessee's petition to reopen proceedings and amended application on file with the Commission and open to public inspection. Due notice of the filing of Tennessee's petition to reopen proceedings and amended application has been given, including publication in the FEDERAL REGISTER on January 30, 1952 (17 F. R. 900–901).

On February 4, 1952, United Natural, a Pennsylvania corporation having its principal place of business at Oil City, Pennsylvania, filed a petition to reopen the proceeding in Docket No. G–1614 upon an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of the facilities of Hebron Storage, as described in the original application filed jointly by United Natural and Tennessee in said Docket No. G–1614, and a request for an order directing Tennessee to deliver to United Natural 15,000 Mcf of natural gas per day, in the same manner as provided in said order of the Commission issued August 27, 1951, in Docket Nos. G–1573 and G–1614. Said petition to reopen and application, filed by United Natural, are on file with the Commission and open to public inspection. Due notice of the filing of United Natural's petition to reopen and application for certificate has been given, including publication in the FEDERAL REGISTER on February 19, 1952 (17 F. R. 1532–1533).

On October 5, 1951, The Manufacturers Light and Heat Company (Manufacturers), a Pennsylvania corporation having its principal place of business at Pittsburgh, Pennsylvania, and United Fuel Gas Company (United Fuel), a West Virginia corporation having its principal place of business at Charleston, West Virginia, both being subsidiaries of The Columbia Gas System, Inc., filed a joint petition in Docket No. G–1808 purportedly pursuant to sections 7 and 16 of the Natural Gas Act, for an order directing Tennessee to transfer, on a temporary basis, during the period through August 31, 1952, delivery of 25,000 Mcf of natural gas per day from its Eastern Rate Zone to its Northern Rate Zone, which volume of gas Tennessee has been delivering to United Fuel for the account of Manufacturers in accordance with an agreement between said companies.[3]

In accordance with advice received from The Columbia Gas System, Inc., to the effect that an emergency exists on its system, the Commission, by telegram dated December 17, 1951, advised Tennessee, that pursuant to § 157.14 of its regulations under the Natural Gas Act, it would interpose no objection to the transfer of delivery of said 25,000 Mcf of natural gas per day for the duration of the current emergency.

---

[1] By its order issued March 15, 1950, the Commission consolidated for the purpose of hearing East Tennessee's application of March 7, 1950, in Docket No. G–1336 with the proceedings in Docket Nos. G–1248, G–1267, G–1277, G–1210, G–1236, G–1264, G–1306, G–1290, and G–1311, and fixed a date of hearing for March 29, 1950, or as soon thereafter as practicable.

By its order issued April 12, 1950, the Commission granted East Tennessee's motion to sever the proceeding on the application in Docket No. G–1336 from the aforesaid consolidated proceedings and withdraw its intervention in Docket No. G–1248. By said order, the hearing upon East Tennessee's application was postponed to a date to be fixed by further order of the Commission.

[2] By its order issued April 4, 1951, the Commission consolidated for the purpose of hearing the proceedings in Docket Nos. G–1573 and G–1614, and fixed a date for hearing. By order issued April 16, 1951, the Commission consolidated for the purpose of hearing proceedings on the application filed by National Gas & Oil Corporation pursuant to section 7 (a) of the Natural Gas Act in Docket No. G–1599 with Docket Nos. G–1573 and G–1614. After hearings held, the Commission issued its order of June 1, 1951, issuing certificates of public convenience and necessity to Tennessee and United Natural Gas Company (United Natural) in said Docket Nos. G–1573 and G–1614 and, among other things, denied authorization to construct and operate certain facilities applied for, as described in Finding (5) of said order, and dismissed the application of National Gas & Oil Corporation at Docket No. G–1599.

By its order issued July 5, 1951, in Docket Nos. G–1573 and G–1614, the Commission granted the separate applications filed by Tennessee and United Natural for rehearing and modification of the order issued June 1, 1951. After rehearing held in said proceedings, the Commission issued its order of August 27, 1951, modifying in part said order issued June 1, 1951. Said order issued June 1, 1951, provided that the certificate issued therein should not become effective unless Tennessee accepted "the same in writing, under oath, and without qualification," within 30 days from the issuance" of said order. The order issued August 27, 1951, did not affect said provision except to make the 30-day period operate from the date of its issuance. By letter dated September 25, 1951, Tennessee notified the Commission of its refusal to accept the certificate as issued by said order issued August 27, 1951.

[3] In its original application, as amended, in Docket No. G–1573, Tennessee requested authority to make such transfer of delivery on a permanent basis. By its said order issued June 1, 1951, in Docket Nos. G–1573 and G–1614, the Commission at paragraph (A) (v) thereof, directed Tennessee to make said transfer of delivery. By its order issued July 5, 1951, in said dockets, the Commission granted Tennessee's request for rehearing and modification of said order issued June 1, 1951, but specifically determined that the provision of its said order issued June 1, 1951, permitting the transfer of delivery of said 25,000 Mcf of gas per day should remain in full force and effect. The Commission's order issued August 27, 1951, after rehearing, modifying in certain respects its order issued June 1, 1951, in said dockets, did not affect the provisions of said order issued June 1, 1951, pertaining to the transfer of delivery of said 25,000 Mcf of natural gas per day. However, in accordance with the condition in said orders requiring Tennessee to accept the certificates issued therein without qualification, its refusal to accept the certificates was inclusive of the authorization to make said transfer of delivery.

By telegram dated February 15, 1952, the Commission granted Tennessee's telegraphic request of February 14, 1952, for a temporary certificate of public convenience and necessity under Docket No. G-1573 authorizing the said transfer of delivery. Said temporary certificate was issued for a period of 60 days from February 15, 1952, without prejudice to further action by the Commission thereon.

On November 15, 1951, Republic Light, Heat and Power Company (Republic), a New York corporation having its principal place of business at Buffalo, New York, filed an application in Docket No. G-1839, purportedly pursuant to sections 7 and 16 of the Natural Gas Act, for an order directing Tennessee to furnish to Republic, at the point of delivery on Republic's system located in Chautauqua, New York, a daily volume of 1,000 Mcf of natural gas in addition to the daily volume of 600 Mcf of natural gas which Tennessee is presently authorized to deliver to Republic. Said application is on file with the Commission and open to public inspection. Due notice of the filing of Republic's application has been given, including publication in the FEDERAL REGISTER on January 25, 1952 (17 F. R. 778-779).[4]

On December 3, 1951, the City of Clarksville, Tennessee (Clarksville), a municipal corporation of the State of Tennessee, filed an application in Docket No. G-1848 pursuant to section 7 (a) of the Natural Gas Act, for an order of the Commission directing Tennessee to extend and improve its transportation facilities and to establish physical connection of its transportation facilities with the facilities to be installed by, for and on behalf of Clarksville, and for an order directing Tennessee to supply and sell gas to Clarksville from its transmission line located approximately 25 miles southeast from Clarksville. (See Footnote 4). Said application is on file with the Commission and open to public inspection. Due notice of the filing of Clarksville's application has been given, including publication in the FEDERAL REGISTER on January 3, 1952 (17 F. R. 96).

The Commission finds:

(1) It is in the public interest and it is appropriate for carrying out the provisions of the Natural Gas Act to reopen the proceedings in Docket Nos. G-1573 and G-1614 for the purpose of receiving evidence relative to a determination of whether a certificate of public convenience and necessity should be issued pursuant to the applications as amended in Docket Nos. G-1573 and G-1614.

(2) Orderly procedure requires that said proceedings in Docket Nos. G-1573 and G-1614 as hereinafter reopened, and the proceedings in Docket Nos. G-1336, G-1808, G-1839, and G-1848 be consolidated for the purpose of hearing.

The Commission orders:

(A) The proceedings in Docket Nos. G-1573 and G-1614 be and the same are hereby reopened for the purpose stated in Finding (1) above.

(B) Said reopened proceedings in Docket Nos. G-1573 and G-1614 be and they are hereby consolidated with the proceedings in Docket Nos. G-1336, G-1808, G-1839, and G-1848 for the purpose of hearing.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing in the reopened and consolidated proceedings be held on April 1, 1952, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the proceedings consolidated in paragraph (B) hereof.

(D) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: March 5, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-2815; Filed, Mar. 11, 1952; 8:45 a. m.]

[Docket Nos. G-1116, G-1152, G-1240, G-1317, G-1344, G-1379, G-1415, G-1417, G-1457, G-1509, G-1616, G-1625, G-1659]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

ORDER POSTPONING HEARING

MARCH 4, 1952.

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417; City of Port Huron, City of Marysville, City of St. Claire, Michigan, municipal corporations, Docket No. G-1152; Southeastern Michigan Gas Company, Docket No. G-1415; Michigan Consolidated Gas Company, complainant v. Panhandle Eastern Pipe Line Company, Docket No. G-1379; Northern Indiana Fuel and Light Company, Docket No. G-1457; Missouri Central Natural Gas Company, Docket No. G-1509; The Central West Utility Company, Docket No. G-1616; Michigan Gas Utilities Company, Docket No. G-1625; City of Auburn, Illinois, Docket No. G-1659.

On December 11, 1951, the Presiding Examiner recessed the hearing of the above-docketed matters until March 11, 1952.

The Commission finds: Good cause exists and it would be in the public interest to postpone the resumption of the hearing of the proceedings to the date and place hereinafter ordered.

The Commission orders: The public hearing in these proceedings now scheduled to be resumed March 11, 1952, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., be and the same is hereby postponed to commence on April 22, 1952, at 10:00 a. m., e. s. t., at the same place.

Date of issuance: March 5, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-2816; Filed, Mar. 11, 1952; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1387, 7-1388, 7-1390—7-1400]

ALLIS-CHALMERS MFG. CO. ET AL.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

MARCH 6, 1952.

In the matter of applications by the San Francisco Stock Exchange for unlisted trading privileges in Allis-Chalmers Manufacturing Company, Common Stock, No Par Value, 7-1387; Armco Steel Corporation, Common Stock, $10 Par Value, 7-1388; Allen B. du Mont Laboratories, Inc., Class A Common Stock, $.10 Par Value, 7-1390; Eastern Air Lines, Inc., Common Stock, $1 Par Value, 7-1391; General Public Utilities Corporation, Common Stock, $5 Par Value, 7-1392; International Paper Company, Common Stock, $7.50 Par Value, 7-1393; Montana-Dakota Utilities Company, Common Stock, $5 Par Value, 7-1394; Philco Corporation, Common Stock, $3 Par Value, 7-1395; Remington Rand Inc., Common Stock, $.50 Par Value, 7-1396; St. Regis Paper Company, Common Stock, $5 Par Value, 7-1397; Schenley Industries, Inc., Common Stock, $1.40 Par Value, 7-1398; Sylvania Electric Products, Inc., Common Stock, No Par Value, 7-1399; Tri-Continental Corporation, Common Stock, $1 Par Value, 7-1400.

The San Francisco Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application to extend unlisted trading privileges to each of the above-mentioned securities, each of which is registered and listed on the New York Stock Exchange except the Class A Common Stock, $0.10 Par Value, of Allen B. Du Mont Laboratories, Inc., which is registered and listed on other national securities exchanges, including the Los Angeles, the Midwest and the New York Curb exchanges.

Rule X-12F-1 provides that the applicant shall furnish a copy of each application to the issuer and to every ex-

[4] The Commission's order issued June 1, 1951, in Docket Nos. G-1573 and G-1614 determined, among the other things herein noted, that of the 40,000 Mcf of natural gas per day additional system capacity authorized Tennessee in Docket Nos. G-962 and G-1248 for sale and delivery to small towns and communities along its pipe line, there remains a volume of 4,519 Mcf per day which is unsold and unallocated, and directed that Tennessee shall make available to Republic, 1,000 Mcf per day of said unsold and unallocated system capacity, and to Clarksville, the remaining 3,519 Mcf per day. The Commission's order issued August 27, 1951, modifying the order issued June 1, 1951, in said Docket Nos. G-1573 and G-1614, did not affect the provisions of said order issued June 1, 1951, pertaining to the disposition of said unsold and unallocated volume of 4,519 Mcf of gas per day. However, Tennessee's refusal to accept the certificates, was also inclusive of the Commission's disposition of said volume of gas.

change on which the security is listed or already admitted to unlisted trading privileges. Each application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 21, 1952, the Commission will set the matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on these applications by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing, these applications will be determined by order of the Commission on the basis of the facts stated in the applications, and other information contained in the official files of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2819; Filed, Mar. 11, 1952; 8:46 a. m.]

[File No. 7-1402—7-1404]

PITTSBURGH FORGINGS CO. ET AL.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 6th day of March A. D. 1952.

In the matter of application by the Philadelphia-Baltimore Stock Exchange for unlisted trading privileges in: Pittsburgh Forgings Company, Capital Stock, $1 Par Value, 7-1402; National Container Corporation, Common Stock, $1 Par Value, 7-1403; Pittsburgh Screw & Bolt Corporation, Capital Stock, No Par Value, 7-1404.

The Philadelphia-Baltimora Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Capital Stock, $1 Par Value, of Pittsburgh Forgings Company, listed and registered on the Pittsburgh and the New York Stock Exchanges; the Common Stock, $1 Par Value, of National Container Corporation, listed and registered on the Midwest and the New York Stock Exchanges; and the Capital Stock, No Par Value, of Pittsburgh Screw & Bolt Corporation, listed and registered on the New York and the Pittsburgh Stock Exchanges. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to April 1, 1952, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2818; Filed, Mar. 11, 1952; 8:46 a. m.]

[File No. 70-2796]

UTAH POWER AND LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE REGARDING BANK BORROWINGS

MARCH 6, 1952.

Utah Power and Light Company ("Utah"), a registered holding company and operating company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a) and 7 thereof with respect to the following proposed transactions:

Utah proposes to enter into a credit agreement with certain banks pursuant to which Utah may borrow from time to time during the year 1952 not to exceed in the aggregate $10,000,000 as money is required for its construction program. Such loans will be evidenced by promissory notes maturing on December 15, 1952 and bearing interest at the rate of 3 percent per annum.

The declaration states that the proceeds from the loans will be used in connection with the construction program of Utah and its subsidiary, The Western Colorado Power Company, which, it is estimated, will require the expenditure of approximately $17,000,000 in the year 1952. The declaration further states that it is the present intention of Utah to repay the loans from the proceeds of permanent financing during the year 1952, which permanent financing will maintain the present capital structure of Utah at approximately the existing debt-equity ratios.

Said declaration having been filed on February 11, 1952, notice of said filing having been given in the form and in the manner required by Rule U-23 promulgated pursuant to said act, the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in accordance with the applicable standards of the act and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate to permit said declaration to become effective, forthwith, without the imposition of terms or conditions:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2817; Filed, Mar. 11, 1952; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of the Administrator

[Determination 38, Amdt. 1]

BARSTOW, CALIFORNIA, CRITICAL DEFENSE HOUSING AREA

APPROVAL OF EXTENT OF RELAXATION OF CREDIT CONTROLS

In view of the joint certification by the Acting Secretary of Defense and the Director of Defense Mobilization, dated March 4, 1952 (17 F. R. 1956), that the Barstow, California, area is a critical defense housing area as defined by section 204 (1) of the Housing and Rent Act of 1947, as amended, section 2 of Economic Stabilization Agency Determination No. 38 (17 F. R. 1369) is hereby amended to apply to the area described as:

Barstow, California (this area consists of Barstow Township and the area within the United States Marine Corps Depot Military Reservation, all in San Bernardino County, California).

ROGER L. PUTNAM, *Administrator.*

MARCH 7, 1952.

[F. R. Doc. 52-2903; Filed, Mar. 10, 1952; 1:22 p. m.]

[Determination 80, Amdt. 1]

UMATILLA-HERMISTON, OREGON, CRITICAL DEFENSE HOUSING AREA

APPROVAL OF EXTENT OF RELAXATION OF CREDIT CONTROLS

In view of the joint certification by the Acting Secretary of Defense and the Director of Defense Mobilization, dated March 4, 1952 (17 F. R. 1956), that the Umatilla-Hermiston, Oregon, area is a critical defense housing area as defined by section 204 (1) of the Housing and Rent Act of 1947, as amended, Section 2 of Economic Stabilization Agency Determination No. 80 (17 F. R. 1375) is hereby amended to apply to the area described as:

Umatilla-Hermiston, Oregon (this area consists of Precincts 28, 29, 30, 31, 32, 32-A, 33, 33-A, 34, 37, 38, and 41, including the Cities of Stanfield, Hermiston, Umatilla and Echo, all in Umatilla County).

ROGER L. PUTNAM, *Administrator.*

MARCH 7, 1952.

[F. R. Doc. 52-2904; Filed, Mar. 10, 1952; 1:22 p. m.]

Office of Price Stabilization

[Delegation of Authority 11, Revision 1]

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 5, Revision, (16 F. R. 11875) Delegation of Authority 11, Revision 1 is hereby issued.

1. Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization:

(a) To request further information or to take other appropriate action with respect to statements, reports, notices or forms filed by Class 2 or Class 2A slaughterers under section 9 (a), 12 (f) or 17 (b), or with respect to certificates filed under section 12 (e), of Distribution Regulation 1, Revision 1.

(b) To deny, request further information, or take such other action as the National Office may direct with respect to applications made under section 15, 16, or 19 of Distribution Regulation 1, Revision 1, by persons who are, wish to be, or desire an adjustment as Class 2 or Class 2A slaughterers.

(c) To grant, deny, request further information or take such other action as the National Office may direct with respect to applications made by Class 2 or Class 2A slaughterers under section 9, 13 or 14 of Distribution Regulation 1, Revision 1.

(d) To grant, deny, request further information or take other appropriate action with respect to applications made under section 12 (c) of Distribution Regulation 1, Revision 1.

(e) To grant relief, pursuant to section 19 of Distribution Regulation 1, Revision 1, in the form of registration as a Class 2 slaughterer, to a person who, prior to December 16, 1951, filed an application under section 4 of the old Distribution Regulation 1, issued February 9, 1951, and who meets the criteria for registration specified in that section.

(f) To take appropriate action with respect to Class 2 or Class 2A slaughterers under sections 8 (b), 9 (b) and 20 (d) of Distribution Regulation 1, Revision 1.

2. The authority hereby delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

3. This Delegation of Authority 11, Revision 1, supersedes Delegation of Authority 11, issued July 2, 1951, and all amendments thereto.

4. This delegation of authority shall take effect on March 17, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 11, 1952.

[F. R. Doc. 52-2977; Filed, Mar. 11, 1952; 11:32 a. m.]

[Delegation of Authority 12, Revision 1]

DIRECTOR OF PRICE OPERATIONS

DELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 5, Revision, (16 F. R. 11875) this Delegation of Authority 12, Revision 1 is hereby issued.

1. Authority is hereby delegated to the Director of Price Operations, Office of Price Stabilization:

(a) To request further information or take other appropriate action with respect to statements, reports, notices or forms filed by Class 1, Class 1A, Class 2 or Class 2A slaughterers under section 9 (a), 12 (f), 17 (b), 18 (d) or 18 (e) or with respect to certificates filed under section 12 (e) of Distribution Regulation 1, Revision 1.

(b) To grant, deny, request further information, or take other appropriate action with respect to applications made under section 9, 13, 14, 15, 16 or 19 of Distribution Regulation 1, Revision 1 by persons who are, wish to be, or desire an adjustment as Class 1, Class 1A, Class 2 or Class 2A slaughterers.

(c) To take appropriate action with respect to Class 1, Class 1A, Class 2 or Class 2A slaughterers under sections 8 (b), 9 (b) and 20 (d) of Distribution Regulation 1, Revision 1.

(d) To take appropriate action under sections 18 (d) and 18 (e) of Distribution Regulation 1, Revision 1.

2. The authority hereby delegated may be redelegated to the Director, Food and Restaurant Division, Office of Price Operations, with the authority to redelegate to the Chiefs of the Branches of the Food and Restaurant Division.

3. This Delegation of Authority 12, Revision 1, supersedes Delegation of Authority 12, issued July 2, 1951, and all amendments thereto.

4. This delegation of authority shall take effect on March 17, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 11, 1952.

[F. R. Doc. 52-2978; Filed, Mar. 11, 1952; 11:33 a. m.]

[Delegation of Authority 12, Revision 1, Supp. 1]

DIRECTOR, FOOD AND RESTAURANT DIVISION

DELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in me as Director of Price Operations, Office of Price Stabilization by Delegation of Authority No. 12, Revision 1, this Supplement 1 to that Delegation of Authority is hereby issued.

1. Authority is hereby delegated to the Director, Food and Restaurant Division, Office of Price Operations:

(a) To request further information or take other appropriate action with respect to statements, reports, notices or forms filed by Class 1, Class 1A, Class 2 or Class 2A slaughterers under section 9 (a), 12(f), 17 (b), 18 (d) or 18 (e) or with respect to certificates filed under section 12 (e) of Distribution Regulation 1, Revision 1.

(b) To grant, deny, request further information, or take other appropriate action with respect to applications made under section 9, 13, 14, 15, 16 or 19 of Distribution Regulation 1, Revision 1, by persons who are, wish to be, or desire an adjustment as Class 1, Class 1A, Class 2 or Class 2A slaughterers.

(c) To take appropriate action with respect to Class 1, Class 1A, Class 2 or Class 2A slaughterers under sections 8 (b), 9 (b) and 20 (d) of Distribution Regulation 1, Revision 1.

(d) To take appropriate action under sections 18 (d) and 18 (e) of Distribution Regulation 1, Revision 1.

2. The authority hereby delegated may be redelegated to the Chiefs of the Branches of the Food and Restaurant Division.

3. This Delegation of Authority 12, Revision 1, Supplement 1, supersedes Delegation of Authority 12, Supplement 1, issued July 2, 1951, and all amendments thereto.

4. This delegation of authority shall take effect on March 17, 1952.

EDWARD F. PHELPS, Jr.,
Director of Price Operations.

MARCH 11, 1952.

[F. R. Doc. 52-2979; Filed, Mar. 11, 1952; 11:33 a. m.]

[Delegation of Authority 12, Revision 1, Supp. 2]

CHIEF, LIVESTOCK AND MEAT DISTRIBUTION BRANCH

DELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in me as Director, Food and Restaurant Division, Office of Price Stabilization, by Delegation of Authority No. 12, Revision 1, Supplement 1, this Supplement 2 to that Delegation of Authority is hereby issued.

1. Authority is hereby delegated to the Chief, Livestock and Meat Distribution Branch, Food and Restaurant Division, Office of Price Operations:

(a) To request further information or take other appropriate action with respect to statements, reports, notices or forms filed by Class 1, Class 1A, Class 2 or Class 2A slaughterers under sections 9 (a), 12 (f), 17 (b), 18 (d) or 18 (e) or with respect to certificates filed under section 12 (e) of Distribution Regulation 1, Revision 1.

(b) To grant, deny, request further information, or take other appropriate action with respect to applications made under section 9, 13, 14, 15, 16 or 19 of Distribution Regulation 1, Revision 1, by persons who are, wish to be, or desire

an adjustment as Class 1, Class 1A, Class 2 or Class 2A slaughterers.

(c) To take appropriate action with respect to Class 1, Class 1A, Class 2 or Class 2A slaughterers under sections 8 (b), 9 (b) and 20 (d) of Distribution Regulation 1, Revision 1.

(d) To take appropriate action under sections 18 (d) and 18 (e) of Distribution Regulation 1, Revision 1.

2. This Delegation of Authority 12, Revision 1, Supplement 2, supersedes Delegation of Authority 12, Supplement 2, issued July 12, 1951, and all amendments thereto.

3. This delegation of authority shall take effect on March 17, 1952.

GEORGE L. MEHREN,
Director, Food and Restaurant Division.

MARCH 11, 1952.

[F. R. Doc. 52-2980; Filed, Mar. 11, 1952; 11:33 a. m.]

[Delegation of Authority 56]

MEAT DISTRIBUTION BOARD OF APPEALS AND HEARING OFFICERS

ESTABLISHMENT AND DELEGATIONS OF AUTHORITY

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), Delegation of Authority by the Secretary of Agriculture with respect to meat, as amended, (16 F.R. 11620) and Economic Stabilization Agency General Order 5, Revision (16 F. R. 11875), this delegation of authority is hereby issued.

Preamble. Distribution Procedural Regulation 1 prescribes procedures to be followed by the Meat Distribution Board of Appeals and Hearing Officers in proceedings arising under meat regulations in the Distribution Regulation series. This delegation of authority establishes the Meat Distribution Board of Appeals and the positions of Hearing Officers and delegates authority to issue subpenas, administer oaths and affirmations and to act in accordance with the provisions of Distribution Procedural Regulation 1.

Sec.
1. Meat Distribution Board of Appeals.
2. Hearing Officers.
3. Delegations of Authority.

SECTION 1. *Meat Distribution Board of Appeals*—(a) *Establishment of the Board.* There is hereby established in the Office of Price Stabilization the Meat Distribution Board of Appeals, hereafter referred to as the Board of Appeals.

(b) *Members of the Board.* The Board of Appeals shall have three members to be appointed by the Director of Price Stabilization. One of the three members shall be designated by the Director to be Chairman of the Board of Appeals and shall be appointed for a fixed term. The other two members may be appointed for a fixed term or for a particular case in the discretion of the Director.

(c) *What shall constitute a quorum.* Three members shall constitute a quorum. If for any reason a quorum cannot be constituted for a particular case the Director will appoint, for the purposes of that case only, a sufficient number of alternate members to constitute a quorum.

(d) *How decisions shall be arrived at.* All decisions of the Board of Appeals shall be arrived at by majority vote.

SEC. 2. *Hearing Officers.* The Board of Appeals may appoint Hearing Officers to conduct hearings and take oral testimony in accordance with the provisions of Distribution Procedural Regulation 1. Such Hearing Officers shall be appointed from among attorneys employed by the Office of Price Stabilization who are not working primarily on meat regulations.

SEC. 3. *Delegations of authority*—(a) *Board of Appeals.* There is hereby delegated to the Board of Appeals authority:

(1) To act in accordance with the provisions of Distribution Procedural Regulation 1;

(2) To issue subpenas requiring the attendance of a witness or the production of tangible evidence including documents or both from any place in the United States, at any designated place;

(3) To administer oaths or affirmations.

(b) *Hearing Officers.* There is hereby delegated to any Hearing Officer, designated by the Board of Appeals to conduct a hearing in a particular case, authority, with respect to such hearing:

(1) To act in accordance with the provisions of Distribution Procedural Regulation 1;

(2) To issue subpenas requiring the attendance of a witness or the production of tangible evidence including documents or both from any place in the United States, at any designated place;

(3) To administer oaths or affirmations.

This delegation of authority shall become effective on March 17, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 11, 1952.

[F. R. Doc. 52-2981; Filed, Mar. 11, 1952; 11:34 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 457, Amdt. 2]

CROWN FASTENER CORP.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 457, under section 43 of Ceiling Price Regulation 7, issued on August 16, 1951, established ceiling prices for sales at retail of slide fasteners manufactured by Crown Fastener Corporation under the brand name "Crown."

The special order required the manufacturer to mark each article listed in the special order with the retail ceiling price fixed under the special order, or to attach to each article a label, tag, or ticket, stating the retail ceiling price. Applicant was required to comply with this preticketing provision on and after October 16, 1951.

Thereafter Amendment 1 to Special Order 457 was issued on December 6, 1951, under which amendment the applicant Crown Fastener Corporation was granted an extension of time up to and including April 16, 1952 to comply with the provisions of the special order to label, tag, or ticket retail ceiling prices of the articles listed in the special order. Crown Fastener Corporation has filed another application dated February 5, 1952 for an amendment to its special order to allow it up to and including June 30, 1952 to meet the requirements of the special order to label, tag, or ticket the articles covered by the special order.

The applicant points out that each article covered by the special order is labeled, but the label does not have the precise language required by the special order. The applicant has submitted an alternative method of labeling its accumulated inventory, which method substantially meets the marking requirements of the regulation. However, the labels on all new merchandise shall bear the exact language required by the special order.

Under the special circumstances set forth by the applicant the Director has determined that the requested amendment should be granted.

Amendatory provisions. Special Order 457 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. In paragraph 3, substitute for the mark or statement

OPS—Sec. 43—CPR 7
Price $--------

the following mark or statement:

$--------

2. Add to paragraph 3, following the last sentence appearing therein, the following:

On and after June 30, 1952, Crown Fastener Corporation must mark each article listed in paragraph 1, of this special order with the retail ceiling price under this special order, or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after June 30, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to June 30, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting requirements of the regulation which would apply in the absence of this special order.

Effective date. This amendment shall become effective March 5, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 5, 1952.

[F. R. Doc. 52-2733; Filed, Mar. 5, 1952; 3:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Revocation of Special Order 536]

NUTONE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 536, issued to Nutone, Inc., issued August 21, 1951, effective August 22, 1951, established ceiling prices at retail for door chimes having the brand name "Nutone."

Nutone, Inc., has applied for a revocation of this special order, stating that it is unable to comply with the provisions of the special order. The Director has determined that sufficient reasons have been shown for revocation of the special order.

This order of revocation requires the applicant to send a copy thereof to all purchasers for resale who have received notice of the Special Order.

Revocation. 1. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, Special Order 536, issued to Nutone, Inc., on August 21, 1951, effective August 22, 1951, establishing ceiling prices at retail for door chimes, having the brand name "Nutone," shall be, and the same hereby is, revoked in all respects.

2. Nutone, Inc., must, within 15 days after the effective date of this order of revocation, send a copy of this order of revocation to all purchasers for resale to whom it has given notice of Special Order 536.

Effective date. This order of revocation shall become effective March 5, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 5, 1952.

[F. R. Doc. 52-2734; Filed, Mar. 5, 1952; 3:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 625, Amdt. 1]

FORTUNE CRAVATS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special order 625 under section 43, Ceiling Price Regulation 7, established retail ceiling prices for men's pure silk ties manufactured by Fortune Cravats, Inc., having the brand name "Fortune Cravats."

This amendment establishes new retail ceiling prices for certain of the applicant's branded articles. It appears that the ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7. The retail ceiling prices are established by incorporating into the special order the amended application dated January 7, 1952.

This amendment also adds bow ties to the special order.

Amendatory provisions. Special Order 625 under section 43 of Ceiling Price Regulation 7 is amended in the following respects:

1. In paragraph 2, after the words "the retail prices listed in your supplier's application" insert the words "dated July 11, 1951, as supplemented and amended by your supplier's application dated January 7, 1952."

2. Insert following paragraph 2 now appearing in the special order the following:

The prices listed in your supplier's supplemental application dated January 7, 1952, shall become effective on receipt of a copy of the notice for such articles, but in no event later than March 30, 1952.

3. In paragraph 1 following the words "men's pure silk ties" add the words "and bow ties."

Effective date. This amendment shall become effective March 5, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 5, 1952.

[F. R. Doc. 52-2735; Filed, Mar. 5, 1952; 3:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 633]

MACGREGOR GOLDSMITH, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, MacGregor Goldsmith, Inc., 4861 Spring Grove Avenue, Cincinnati 32, Ohio (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of golf clubs sold at wholesale by MacGregor Goldsmith, Inc., 4861 Spring Grove Avenue, Cincinnati 32, Ohio, having the brand name(s) "MacGregor" shall be the proposed retail ceiling prices listed by MacGregor Goldsmith, Inc. in its application dated October 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than April 7, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after May 6, 1952, MacGregor Goldsmith, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after June 5, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to June 5, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers

on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$..... per..... {unit, dozen, etc. Terms {net, percent EOM, etc.	$.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling prices for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2797; Filed, Mar. 6, 1952; 4:16 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 834]

KESTENMAN BROS. MFG. CO.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kestenman Bros. Mfg. Co., 280 Kinsley Avenue, Providence 3, Rhode Island has applied to the Office of Price Stabilization for maximum resale prices for retail and wholesale sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail and wholesale of watch bands and identification bracelets sold through retailers and wholesalers and having the brand name(s) "Kestenmade" and "Peerless" shall be the proposed retail and wholesale ceiling prices listed by Kestenman Bros. Mfg. Co., 280 Kinsley Avenue, Providence 3, Rhode Island, hereinafter referred to as the "applicant" in its application dated September 27, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than May 6, 1952, no seller at retail or wholesale may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and and after May 6, 1952, Kestenman Bros. Mfg. Co., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $.....

On and after June 5, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to June 5, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 60 days after the effective date of the amendment. After 90 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 90 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price and corresponding wholesale ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)	(Column 3)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1	Wholesaler's ceiling price for articles listed in column 1
.....	$.....	$.....

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price nctice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in sub-paragraph 3 (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2798; Filed, Mar. 6, 1952; 4:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 835]

LUBER-FINER INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Luber-Finer Incorporated, 2514 South Grand Avenue, Los Angeles 7, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fishing lures sold through wholesalers and retailers and having the brand name(s) "Russelure" shall be the proposed retail ceiling prices listed by Luber-Finer Incorporated, 2514 South Grand Avenue, Los Angeles 7, California, hereinafter referred to as the "applicant" in its application dated October 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than May 6, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after May 6, 1952. Luber-Einer, Incorporated, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after June 5, 1952, no retailer may offer, or sell the article unless it is marked or tagged in the form stated above. Prior to June 5, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with

the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in sub-paragraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first six-month period following the effective date of this special order and within 45 days of the expiration of each successive six-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that six-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2799; Filed, Mar. 6, 1952; 4:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 836]

UNCLE JOSH BAIT CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Uncle Josh Bait Company, Fort Atkinson, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fishing bait sold through wholesalers and retailers and having the brand name(s) "Uncle Josh" shall be the proposed retail ceiling prices listed by Uncle Josh Bait Company, Fort Atkinson, Wisconsin, hereinafter referred to as the "applicant" in its application dated October 24, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than May 6, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after May 6, 1952, Uncle Josh Bait Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after June 5, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to June 5, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pricketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices

described in sub-paragraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2800; Filed, Mar. 6, 1952; 4:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 837]

EDDIE POPE & CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Eddie Pope & Company, 2527 Community Avenue, Montrose, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fishing lures sold thrqugh wholesalers and retailers and having the brand name(s) "Hot Shot" shall be the proposed retail ceiling prices listed by Eddie Pope & Company, 2527 Community Avenue, Montrose, California, hereinafter referred to as the "applicant" in its application dated October 29, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than May 6, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after May 6, 1952, Eddie Pope & Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after June 5, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to June 5, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each

of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2801; Filed, Mar. 6, 1952; 4:18 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 838]

ARCTIC FEATHER & DOWN CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Arctic Feather & Down Co., 83 Columbia Street, Seattle 4, Washington.

Brand names: "Arctic Down".

Articles: Men's and women's jackets, vests, trousers, hats, caps.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per {unit, dozen, etc.}	Terms {net, percent EOM, etc.} $_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2802; Filed, Mar. 6, 1952; 4:18 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 839]

C. H. MASLAND & SONS

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the follcwing provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: C. H. Masland & Sons, Springs Road, Carlisle, Pennsylvania.

Brand names: "Masland".

Articles: Men's sports clothes.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per {unit, dozen, etc.}	Terms {net, percent EOM, etc.} $_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2803; Filed, Mar. 6, 1952; 4:18 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 840]

LAND-O-NOD CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: The Land-O-Nod Company, 945 N. E. Broadway Ave., Minneapolis 13, Minnesota.

Brand names: "Land-O-Nod."

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price List.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$..... per..... {unit, dozen, etc.} Terms {net, percent EOM, etc.}	$.....

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2804; Filed, Mar. 6, 1952; 4:18 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 841]

REMINGTON RAND, INC.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Remington Rand, Inc., Electric Shaver Division, 60 Main Street, Bridgeport 2, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail and wholesale sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of

ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail and wholesale of clocks sold through retailers and wholesalers and having the brand name(s) "Schatz" shall be the proposed retail and wholesale ceiling prices listed by Remington Rand, Inc., Electric Shaver Division, 60 Main Street, Bridgeport 2, Connecticut, hereinafter referred to as the "applicant" in its application dated October 29, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than May 6, 1952 no seller at retail or wholesale may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after May 6, 1952, Remington Rand, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after June 5, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to June 5, 1952, unless the article is marked or tagged in this prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 6, 1952.

[F. R. Doc. 52-2805; Filed, Mar. 6, 1952; 4:18 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 13, Amdt. 1]

FORD MOTOR CO.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 13 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the Ford Motor Co. Subsequent to the issuance of Special Order 13 the Ford Motor Co. has introduced new items of factory installed extra, special and optional equipment on its Lincoln Cosmopolitan automobiles.

Special Order 13 is, therefore, amended to include charges for the new items of factory installed extra, special and optional equipment. In addition several errors which appeared in Special Order 13 are corrected by this amendment.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 13 is hereby issued.

1. The following charges for factory installed extra, special or optional equipment are added to the list of extra, special or optional equipment contained in paragraph 2 of Special Order 13.

LINCOLN COSMOPOLITAN AUTOMOBILES

Curb buffer (customline 4-door sedan and sport coupe only)	$24.12
Grill guard (all lines and series)	20.00
Window lifts, electric, four, and seat adjuster (all lines and series)	120.00

2. The following corrections are made in the list of factory installed extra, special or optional equipment for Ford automobiles listed in paragraph 2 of Special Order 13;

The item for Ford Automobiles which reads as follows:

"Tires (5) 7.10 x 5, 4 ply black sidewall, 5 wheels (Victoria and Sunliner) ---------- No charge"

is corrected to read as follows:

"Tires (5) 7.10 x 5, 4 ply black sidewall, 5 wheels (Victoria and Sunliner, equipped with Fordomatic Drive) ---------- No charge"

The item for Mercury Automobiles which reads as follows:

"Glove compartment light (all lines and series except Station Wagons) - $1.11"

is corrected to read as follows:

"Glove compartment light (all lines and series) ---------- $1.11"

The item for Mercury Automobiles which reads as follows:

"Luggage compartment light (all lines and series) ---------- $1.32"

is corrected to read as follows:

"Luggage compartment light (all lines and series except station wagons) - $1.32"

The item for Lincoln Cosmopolitan Automobiles which reads as follows:

"Trim, leather (all lines and series except Hard Top and Convertibles) ---------- $54.17"

is corrected to read as follows:

"Trim, leather (Capri Hard Top only) ---------- $54.17"

3. Appendix "A" of Special Order 13 is corrected in the following respects:

The items on Mercury Passenger Automobiles which reads as follows:

Tires, 5 (7.10 x 15, 4 ply): All Mercurys except 6-passenger station wagon and 8-passenger station wagon.

Tires, 5 (7.60 x 15, 4 ply): 6-passenger station wagon and 8-passenger station wagon.

are corrected to read as follows:

Tires, 5 (7.10 x 15, 4 ply): All Mercurys except 6-passenger station wagon, 8-passenger station wagon and convertible.

Tires, 5 (7.60 x 15, 4 ply): 6-passenger station wagon, 8-passenger station wagon and convertible.

Effective date. This Amendment 1 to Special Order 13 shall become effective March 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 7, 1952.

[F. R. Doc. 52-2863; Filed, Mar. 7, 1952; 4:54 p. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26870]

VARIOUS COMMODITIES BETWEEN POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

MARCH 7, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to the schedules listed in exhibit A of the application, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities, carloads.

Between: Points in official territory.

Grounds for relief: Circuitous routes and competition with rail carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-2841; Filed, Mar. 11, 1952; 8:49 a. m.]

[4th Sec. Application 26871]

SAND FROM VINCENNES, IND., TO HARRISBURG, ILL.

APPLICATION FOR RELIEF

MARCH 7, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for The New York Central Railroad Company.

Commodities involved: Sand, carloads.

From: Vincennes, Ind.

To: Harrisburg, Ill.

Grounds for relief: Wayside pit competition.

Schedules filed containing proposed rates: NYC RR. tariff I. C. C. No. 1198, Supp. 5.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-2842; Filed, Mar. 11, 1952; 8:49 a. m.]

[4th Sec. Application 26872]

SPENT SULPHURIC ACID FROM BALDWIN, ARK., TO ST. LOUIS, MO., AND EAST ST. LOUIS, ILL.

APPLICATION FOR RELIEF

MARCH 7, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for the Missouri Pacific Railroad Company and St. Louis Southwestern Railway Company.

Commodities involved: Spent sulphuric acid, in tank-car loads.

From: Baldwin, Ark.

To: St. Louis, Mo., and East St. Louis, Ill.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3908, Supp. 90.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be neces-

sary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2843; Filed, Mar. 11, 1952; 8:49 a. m.]

[4th Sec. Application 26873]

PULPWOOD FROM ILLINOIS, INDIANA, AND MISSOURI, TO CHILLICOTHE, OHIO

APPLICATION FOR RELIEF

MARCH 7, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4194.

Commodities involved: Pulpwood, peeled or unpeeled, carloads.

From: Points in Illinois, Evansville, Ind., and St. Louis, Mo.

To: Chillicothe, Ohio.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2844; Filed, Mar. 11, 1952; 8:49 a. m.]